



CITY OF MILL CITY

AGENDA OF THE CITY COUNCIL

October 27, 2020

City Hall

444 S 1st Avenue

Mill City, Oregon

REGULAR SESSION

1. CALL TO ORDER/FLAG SALUTE 6:30 p.m. Mayor Tim Kirsch

2. CITY COUNCIL ROLL CALL/INTRODUCTION OF STAFF Mayor Tim Kirsch

3. DECLARATIONS OF POTENTIAL CONFLICTS OF INTEREST

4. CONSENT AGENDA:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed for discussion at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The secretary to the council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the Consent Agenda is then voted on individually by a roll call vote.

Copies of the council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at the Mill City, City Hall or at www.ci.mill-city.or.us/documents/packets.

- a. Approval of Minutes of Regular City Council Meeting of October 13, 2020
- b. Approval of Accounts Payable
- c. Ratification of Planning Commission Approval of File No. 2020-08, Minor Partition; Baughman, Scott – 100 Block, SE Fairview Street

5. CITIZEN COMMENTS/QUESTIONS – LIMITED TO THREE (3) MINUTES

6. MISCELLANEOUS CITY RECORDER ITEMS

- a. Requests for Leniency – Water Charges
 - i. Wiseman, Ron
 - ii. Martinez, Havilah
 - iii. Keys, Ruth
 - iv. Miller, Diane
 - v. Krecklow, Fred
 - vi. Morreira, George
- b. Request for Waiver of Returned Check Fee; Briock, Dane
- c. TIGER Grant Update
- d. Ordinance No. 403 – Amending Chapter 17 of the Mill City Municipal Code
- e. Other

7. ADJOURNMENT

CALENDAR OF UPCOMING CITY MEETINGS & EVENTS

Tuesday	November 3, 2020	Election Day	
Tuesday	November 10, 2020	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Wednesday	November 11, 2020	CITY HALL CLOSED – VETERANS DAY	
Tuesday	November 17, 2020	Planning Commission Meeting	6:30p.m.
Friday	November 20, 2020	Planning Commission Meeting – If needed	9:30a.m.
Tuesday	November 24, 2020	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Thursday	November 26, 2020	CITY HALL CLOSED – THANKSGIVING DAY	
Tuesday	December 8, 2020	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	December 15, 2020	Planning Commission Meeting	6:30p.m.
Friday	December 18, 2020	Planning Commission Meeting – If needed	9:30a.m.
Tuesday	December 22, 2020	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Friday	December 25, 2020	CITY HALL CLOSED – CHRISTMAS DAY	
Friday	January 1, 2021	CITY HALL CLOSED – NEW YEAR'S DAY	
Tuesday	January 12, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Friday	January 15, 2021	Planning Commission Meeting – If needed	9:30a.m.
Monday	January 18, 2021	CITY HALL CLOSED – MARTIN LUTHER KING JR DAY	
Tuesday	January 19, 2021	Planning Commission Meeting	6:30p.m.
Tuesday	January 26, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	February 9, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Monday	February 15, 2021	CITY HALL CLOSED – PRESIDENT'S DAY	
Tuesday	February 16, 2021	Planning Commission Meeting	6:30p.m.
Friday	February 19, 2021	Planning Commission Meeting – If needed	9:30a.m.
Tuesday	February 23, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.

REQUEST FOR COUNCIL ACTION

DATE: October 22, 2020
TO: Mayor Kirsch and City Councilors
FROM: Stacie Cook, MMC, City Recorder
REGARDING: Consent Agenda Items

- a. Approval of Minutes of Regular City Council Meeting of October 13, 2020
- b. Approval of Accounts Payable.
- c. Ratification of Planning Commission Approval of File No. 2020-08, Minor Partition; Baughman, Scott – 100 Block, SE Fairview Street

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, October 13, 2020**

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, City Clerk Tree Fredrickson, and City Attorney Jim McGehee.

Citizens in attendance were LCSO Captain Michelle Duncan, Earnest Freeman, Roel Lundquist, Mike Matthews, Gary Olson, and Linn County Sheriff Jim Yon.

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 said that Mrs. Cook has requested an additional item be placed on the Consent Agenda, g; approval of a temporary liquor license at 654 NW Santiam Blvd.

Councilor Trout requested item e; Ratification of Council Approval (4:2) to Grant up to 30 Hours Pay for Employees During Evacuation Week of September 7, 2020, be pulled from the Consent Agenda for discussion.

Councilor Plotts moved and was seconded by **Councilor Trout**, to approve items a; Approval of Minutes of Emergency City Council Meeting of September 18, 2020, b; Approval of Minutes of Regular City Council Meeting of September 22, 2020, c; Approval of Accounts Payable, d; Acceptance of Monthly Revenues & Expenditures Report, September 2020, f; Approval of Waiver of Leak Charges Up To the Highest Consumption in the Previous Twelve Months for 975 SW Linn Blvd; Keys; and, g; Approval of OLCC Temporary Liquor License for Travelin Taphouse on Saturday, October 17, 2020 between 11:00 AM and 5:00PM at 654 NE Santiam Blvd. Mrs. Fredrickson polled the Council. The motion passed unanimously, (6:0).

Mayor Kirsch asked for discussion on item e pulled from the Consent Agenda.

Councilor Trout said that this was a difficult decision for him to make concerning paying employees during the recent emergency but felt that a precedent would be set for future emergencies if this was approved.

Councilor Plotts said that she also had a hard time with this but felt that paying employees was in good faith and that employees would appreciate it.

Mr. McGehee clarified that just because an action has been taken, it does not necessarily set precedent. However, it may make it harder to deny a similar request in the future.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to approve e; Ratification of Council Approval (4:2) to Grant up to 30 Hours Pay for Employees During Evacuation Week of September 7, 2020. The motion passed unanimously, (6:0).

LINN COUNTY SHERIFF'S REPORT: Capt. Michelle Duncan gave the LCSO report for September. Deputies concentrated on entry points into Mill City and Gates during the wildfire evacuation. LCSO sent as many deputies out as fast as they could to evacuate people. There were reports of missing people and deputies were sent out to check on these people. Everyone in Linn County was accounted for by checking shelters, hotels and the Salem Fairgrounds.

Capt. Duncan said that the Linn Benton Alert System should be used by all citizens, has a sign up on their website.

Capt. Duncan said that there were people who were taking advantage of this tragic situation and deputies were called in for overtime to protect properties from looting. Capt. Duncan said that she and Sheriff Yon are proud of these deputies who gave up vacation time and worked 12-18 hour shifts for up to 9 days straight.

On September 10th, two men were arrested for eluding officers and reckless driving. These two men were found to have items that were taken from several evacuated homes. The deputies' presence kept properties safe as people started coming into town.

Mayor Kirsch asked about any arson fires in the area. Capt. Duncan said that there were no arson fires set in this area. However, ten fires were found to be intentionally set in the Brownsville and Sweet Home areas.

Councilor Winn said that the deputies did a great job and he was grateful for their help.

Sheriff Yon thanked the City of Mill City for the 27 years of a great relationship. He also thanked Capt. Duncan for taking charge during the fires and doing a fantastic job.

Sheriff Yon said that LCSO is going out for a new levy early this year and is asking for support. Without the passing of this levy, Sheriff Yon would be forced to lay off up to 10 deputies, which would be devastating to our community. The support from the public is greatly appreciated.

Mayor Kirsch said that the LCSO is mandated by law to serve four things: operate the jail, court security, civil process and search and rescue. Policing Mill City is not one of them. This levy helps to ensure policing can continue.

Councilor Trout said that now is a good time to ask for funding as the recent fires are a good example of how important it is having the police force available.

Councilor Trout asked about the missing 45 mph speed limit sign on the east side of Lyons. Sheriff Yon said that he would check into this.

PUBLIC WORKS REPORT: Public Works Supervisor Russ Foltz gave the pump report for September. Mr. Foltz said that he took a reading took a reading from the well meter shortly after the fire and approximately 5.1 million gallons of water had already been pumped. The pumps ran almost constantly for a week or more. Mr. Foltz said that the reservoir came close to running out with about 4' left. The reservoir usually sits at 30 – 31' when full. After monitoring the aquifer, it remained at the same level.

Mr. Foltz said that he and Jonathan deRenzo attended the OAWA conference and learned some new technology. Only 150 operators attended due to COVID.

Other items addressed was the new sign that was erected on the Public Works building before the fires. All but one of the school's catch basins are put in. Everything else is finished.

Mr. Foltz said that the well generator was not working consistently during the emergency and this needs to be dealt with soon. Mr. Foltz requested that Council revisit the issue of the transfer switch.

Mr. Foltz gave a shout out to Emery and Sons for their volunteerism during this tough time. They helped cap off sewers, replace a fire hydrant and fixed a leak. A 9-man crew was sent out to help with getting the RV park ready for trailers.

Councilor Zeyen-Hall asked if there was any damage to the drain field. Mr. Foltz said there was not, just some burned grass.

Councilor Trout asked if citizens can dump sewage directly into their sewer. Mr. Foltz said no, there is an ordinance against doing this. Councilor Trout asked if there is a place that people can dump their sewage as the nearest one was at Fishermen's Bend, which is gone due to the fire.

Mayor Kirsch said that the City anticipates people setting up RV's on their property and asked how sewage will be dumped if the inlet is capped off at the tank?

Mr. Foltz explained that the owner would have to dig up the inlet to the tank and put in a pipe with a clean out. These properties will have to file an application with the City to be able to stay in an RV on site.

Mayor Kirsch said that he and Mrs. Cook have been attending a meeting every Wednesday at 4 PM at the high school with FEMA and other agencies.. FEMA representatives are also located in City Hall to help with applications and questions.

CITIZEN COMMENTS/QUESTIONS LIMITED TO THREE (3) MINUTES: None.

PUBLIC HEARING: None Scheduled.

PRESENTATIONS: None Scheduled.

OLD BUSINESS:

MCGRA Agreement: City Attorney Jim McGehee has a tentative agreement ready for drafting, however, due to staff issues it has not been prepared. This issue will be pushed back to a later date.

FEMA has been in City Hall for the past few weeks and plans to remain Monday through Saturday, 9:30 AM to 4:00 PM through the month of October. In addition, space has been provided for a group of attorneys to meet with fire victims to provide pro bono consultation on dealing with insurance companies

Mayor Kirsch said that the City owns a lot of riverfront property that was damaged by the fires. Kimmel Park and upriver received the most damage and riparian work will have to be done to rectify this damage. The north side of the river was not damaged as much. FEMA will be involved with this as well.

Mayor Kirsch state that Councilor Katlong has put in many volunteer hours continuing work on the temporary housing site where the Deerhorn apartments used to be. The last item to be completed for the construction of sites is the electric, which is being coordinated by Crawford Electric. Mrs. Cook said that she will get the electrical permit necessary to finalize the temporary housing. Once this is completed, people will be allowed to bring their RV's/campers on-site. However, lease agreements will have to be signed with the property owner as well as agreements with each person taking one of the spaces.

Councilor Katlong said that he talked with Crawford Electric and they will be coming to attach the lines to the pole that was recently erected on site Wednesday, October 21, 2020.

The well site has been authorized for storage of hay bales, which the North Santiam Watershed Council is using to coordinate debris management for private property owners to help assist in keeping ash and debris from leaving properties and entering local waterways.

Mr. McGehee has drafted two hold-harmless agreements, plus a resolution on rules for the temporary housing and asked Council to comment on rules to be followed. Councilor Katlong offered to bring in a sample agreement from an RV park that he stays at when hunting and fishing.

Councilor Katlong asked if he could string caution tape across the parking area as some people have been running their vehicles over this area, doing 'cookies' and digging up the rolled gravel and dirt. Mr. McGehee said yes and advised to post no trespassing signs until further notice.

Council discussed whether fees should be charged for each space. Further discussion will need to occur.

Mayor Kirsch stated that this will not be an open public park but only for those displaced by the fires. McGehee said that the City will need some type of proof that those wanting to park in these spaces are Canyon citizens that have been displaced by the fires.

Councilor Trout suggested a flat fee of \$10 a day to cover the City's expenses.

Mrs. Fredrickson asked about how many vehicles would be allowed per space. Councilor Katlong suggested that two spots per space be allowed and any extra cars would have to park on the street.

EV Charging Station/Parking Lot: A meeting to discuss the start of construction for the EV Charging Station/Parking Lot on NE Wall Street was held on October 1, 2020. The contractor plans to start soon.

NEW BUSINESS

Request for Leniency – Water Charges: There have been a number of citizens requesting reduction of water charges for various reasons related to the fire and evacuation. These requests include people who left sprinklers on, some whose hoses were turned on by others trying to help without their knowledge, hoses trickling for animals as well as some who state that their water was used to put out fires.

Councilors Katlong and Zeyen-Hall said that leaving the water on, for whatever reason, was a personal choice.

Mayor Kirsch said that he understands why people left their sprinklers on and he suggested looking back at the September, 2019 water billings and charge this amount. Whatever is decided needs to be fair and uniform across the board.

Councilors Trout and Plotts agreed with Councilors Katlong and Zeyen-Hall that it was a choice and suggested that customers be allowed to pay a little extra each month until their bill is paid in full.

Mrs. Cook suggested that each person wanting relief from a high water bill for September put their request in a letter asking for consideration and submit it to Council. This will give staff time to look back on their history and a decision can be made on a case by case basis. These letters will need to be submitted before the next City Council meeting on October 27th.

Consensus to advise those on the list requesting leniency on their water bills to submit a letter to Council.

Waiver of Water Charges for Homes Lost in Fires: Those properties which were lost in the fires had water loss due to broken pipes. Public Works did get meters turned off as quickly as possible but there were a number of days that water ran freely

Mrs. Cook asked Council if they would like to send out billings for these properties or waive charges for the month of September? These accounts have already been suspended, however, each account has a billing left for the month of September and the water use/loss.

Councilor Zeyen-Hall moved and was seconded by **Councilor Plotts** to Direct Staff to Waive All Water/Sewer Charges for the Month of September on all Accounts Suspended Due to Structures Lost to Beachie Creek/Santiam Fire. The motion passed unanimously, (6:0).

Mrs. Cook said that there was a accessory structure that burned with debris covering the water valve which Public Works was unable to turn. Council agreed that all accounts need to be treated the same and that the property owner asking for leniency must also submit a request to Council for consideration.

Roel Lundquist, SW Linn Blvd, asked about those accounts suspended having a basic charge for water/sewer to cover the City's bonded debt. Mrs. Cook said that following policy there is no fee for any burned home. The current resolution states that if there is no meter in the ground, there is no charge.

Waiver of Permit Fees (Homes Lost in Fire): Linn County Commissioners have authorized moving forward with waiver of permit fees for property owners who will be rebuilding after the loss of their structures in the wildfire. There are a number of questions left to be addressed by Linn County staff concerning what the waiver entails; full permit vs structural portion, plumbing, mechanical, electrical, state surcharge, plan review fee, etc. An application has been drafted by Linn County's staff for those wishing to request the waiver.

Council needs to consider whether to also waive Mill City's 25% portion of permit fees, which is roughly \$600.00 on a \$3,500.00 permit. A very rough estimate of the City's portion of fees for replacement would be between \$13,000.00 and \$20,000.00.

Councilor Trout said that he feels that quickly expediting building permits would be more important than waiving fees. People want to begin building as soon as possible and obtaining permits take time.

Mrs. Cook said that if this waiver of fees is granted by Linn County, there would be three qualifications that would have to be met by the property owner;

- 1) Sign up for the free testing and clean-up of hazardous contaminants with the County,
- 2) Plans would need to be professionally engineered, and
- 3) Have a certified working sewer/septic system.

If this is something that Council wants to consider Mrs. Cook will gather more information about how Linn County plans to move forward and then bring it to an upcoming meeting for review.

Mayor Kirsch said that since the City has a close working relationship with Linn County he is willing to consider this proposal. It was Council consensus to work with Linn County.

Waiver of Land Use Fees (Conditional Use – RV's During Construction): The City has a Conditional Use permit process for people requesting permission to live in an RV/camper on their property while a home is being constructed. The application fee is \$250.00.

Due to the tragic circumstances, Mrs. Cook asked Council how to proceed with this as the City moves forward. Mrs. Cook said that it seems logical that the application should still be submitted so that there is a record of where RV's and campers are located within the City. The question for Council is whether to leave the fee in place or waive it for those who lost their homes.

Mayor Kirsch said that he would like to charge only \$25.00 per application.

Mr. McGehee suggested a Resolution to change this fee for those wanting to place an RV on their property as they rebuild their homes due to the fire.

Mrs. Cook will speak with the Planning Commission on specific criteria on this at their next meeting.

Request for Waiver of Returned Check Fee – 977 SW Hall Street, Clark, Stanley: Stanley Clark has requested waiver of a returned check fee that he received from the City. Mr. Clark states that he had to close his checking account on which the check was written due to someone obtaining his bank information and fraudulently using the account. Mr. Clark does not have a record of being late on paying his water bill or providing us with returned checks. The fee is \$25.00 for a returned check.

Mayor Kirsch made a recommendation to waive this fee and if the bank charges the City a fee, Staff should request it be waived.

STAFF/COMMISSION REPORTS

City Recorder Report:

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

Electronic Payments – For many years staff has discussed the need to offer electronic payment options to the City's customers. Over the past few years, Mrs. Cook has been gathering information on potential 3rd party service providers that the City could contract with to provide the service while keeping away from the need to charge a fee on the City's part.

It was originally planned to implement an electronic payment option shortly after the conversion to the new Springbrook/Accela program was completed. However, issues with the conversion that needed to be addressed prior to adding a new component arose. Most of these issues have been fixed at this point.

There are a number of other third party options that are being looked into. These include:

- Continental Utility
- MuniBilling
- Xpress Bill Pay
- Point and Pay
- Payment Service Network

At least two of these providers charge fees to the customer/user, not the City, which is the preference to lessen the need to cover additional costs or implement fees to charge the City's customers.

There is a module that needs to be purchased from Springbrook to complete the electronic transaction and costs approximately \$3,000. Mrs. Cook said that funds have been included in the budget that would allow staff to move forward with whatever option is chosen by Council. Consensus to continue exploring electronic payment options.

Audit; October 22/23, 2020 Offsite – The City's annual audit is set for October 22 and 23, 2020 but will take place completely offsite due to COVID 19.

The auditor asked if a Councilor or two could be available for a follow-up interview afterwards. Either Thursday or Friday, October 22nd or 23rd. Councilor Trout offered to do the interview.

Mrs. Cook said that she will be modifying her schedule to help care for her ill grandmother.

City Attorney Report: Mr. McGehee said that he is still working on finalizing the resolution and other agreements for the parking of RVs and is almost done.

Councilor Trout asked if those that damaged the bridge by driving across it with their big truck were cited. Mr. McGehee said he had not seen anything come across his desk on this stating that he needs some evidence that a crime has been committed before he can take action.

Mrs. Cook said that she will contact a deputy and see if they can give issue a ticket. Mr. McGehee said that the Deputy should at least talk to the guilty party.

Roel Lundquist asked if the loss of the Reid House property had been discussed. Mrs. Cook said she has contacted the insurance company and is waiting for this to be finalized before contacting the family and discussing how to proceed.

Mrs. Cook asked Mr. McGehee if there would be an issue with signing a right of entry with FEMA to help with testing and clean-up of the Reid House site. Mr. McGehee suggested that the City's insurance be contacted for more information. Mrs. Cook noted that the Reid House was covered in lead paint and testing would need to be done. Council agreed they would prefer that FEMA deal with the cleaning instead of the City.

BUSINESS FROM MAYOR & COUNCILORS

Councilor Winn had nothing to report.

Councilor Zeyen-Hall extended a big thank you to staff and all those that have worked so hard volunteering to help during and after the fires. She gave a special thank you to Councilor Katlong.

Councilor Katlong said that there was a water main that was damaged up on NE 7th and Alder. It was his understanding that a contractor did this when cleaning up. Mrs. Cook explained that a contractor did drive over this area and caused a leak. It was due to an unmarked and abandoned fire hydrant main that was buried and not removed.

Councilor Katlong asked about all the Forest Service vehicles parked in the City's parking lot, stating they are taking up a lot of room. Mayor Kirsch explained that the Forest Service employees have been advised not to take these vehicles home as there is a lot of anger towards them concerning the fires. There was an incident where someone stopped one of the employees and verbally threatened them. City Hall is a secure area with cameras recording the parking lot. Mayor Kirsch does not think this will last for very much longer.

Councilor Plotts has made a list of those who generously gave of their time and efforts during the fire and afterwards stating that she would like to reach out to thank everyone.

Mr. McGehee suggested a Proclamation which can be submitted to the local papers. Council concurred with Mr. McGehee and will look into this.

Councilor Trout discussed building 'bat boxes' to put under the traffic bridge when it is done, offering to make a couple of them and stating these are good for the environment, controlling of bugs and a large deterrent to those wanting to sleep under the bridge.

Mr. McGehee said that if there are still people who need legal help with their insurance from the fires, he would be willing to waive his consultation fee to help them out.

Mayor Kirsch thanked the many people who stepped up and volunteered their time and efforts to help others in this emergency. There are a lot of people out there who reached out in numerous ways and he is very appreciative.

Councilor Plotts requested Councilors make a list of their own for those they would like to thank. Mrs. Cook said that City Hall has been keeping a list of those that need to be thanked as well.

EXECUTIVE SESSION – None scheduled.

ADJOURNMENT

The meeting was adjourned at 9:39 PM.

Prepared by:

Stacie Cook, MMC
City Recorder

Approved by:

Tim Kirsch
Mayor



City of Mill City

P. O. Box 256

Mill City, OR 97360

Phone: 503-897-2302 ▪ Fax: 503-897-3499

October 22, 2020

Scott Baughman
SBC Construction, Inc.
PO Box 943
Mill City, OR 97383
Email: sbcconst@wvi.com

**SUBJECT: Notice of Decision Approving Minor Partition
File No. 2020-08
T9S R3E Section 29CC, Tax Lot 00804 - Part
100 block, SE Fairview Avenue, Mill City, Oregon**

Dear Scott:

On Tuesday, October 20, 2020 the Planning Commission **approved** your application for a minor partition for your property in the 100 block of SE Fairview Avenue in Mill City. The City Council will review the Planning Commission decision at its October 27, 2020 meeting. If the Council ratifies the Planning Commission approval, the decision is final on November 12, 2020.

I. Conditions of Approval:

FILE 2020-08 --- MINOR PARTITION

The Planning Commission approved the minor partition application subject to the following conditions of approval.

- A. Approved Map & Time Limit of Partition Approval.** The partition is approved as shown on the attached map, dated & stamped approved by the City of Mill City Planning Department. Approval is granted subject to the completion of the partition survey within one year from the date of City Council approval and compliance with all conditions of approval. The minor partition approval will expire December 31, 2021 if the plat has not been recorded.
- B. Survey.** A minor partition survey map must be recorded with Linn County no earlier than January 1, 2021 and no later than December 31, 2021. The survey must be prepared by a registered professional surveyor and comply with state law and the Linn County surveyor requirements for minor partitions. The partition plat map must show:
 1. Parcels: Parcel 1 and Parcel 2 as shown on the approved partition map.
 2. Easements & Deed Covenants:
 - a. Reference the existing City of Mill City Sewerage System Easement on the final plat.

- C. **Public Works Requirements:** The applicant shall complete the following public improvements prior to City approval of the final plat, unless otherwise specified below. Improvements will be designed and installed in accordance with the City of Mill City Public Works Design Standards and Construction Specifications.

Permits:

1. The property owner, or authorized contractor/representative, shall obtain a Type B Public Works Construction Permit from the City for any work performed in the public right-of-way.

Streets:

2. **SE Fairview Street:** Restoration and replacement of all pavement, curbs and sidewalks, as needed. No street cuts are permitted for the water service line crossings.

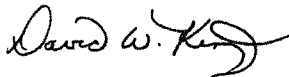
Water & Sewer Services:

3. Install individual water services to for each parcel prior to or concurrently with the issuance of a building permit for each parcel.
4. Install new sewer interceptor tanks and sewer laterals for each parcel prior to or concurrently with the issuance of a building permit for each parcel.

II. Building Permits

You may apply for one building permit on this parcel at any time. After the final partition plan is approved and filed with Linn County, you may apply for a building permit on the second parcel. No building permits may be issued subject to the listed conditions of approval.

Sincerely,



DAVID KINNEY
Planning Consultant for the City of Mill City

Enclosures	File 2018-12	Map of Approved Minor Partition
	File 2018-13	Maps of Site Plan Approval for Parcels 2 and 3

cc: City File 2020-01 Baughman Minor Partition
Corbey Boatwright, Boatwright Engineering

RECORD & MEASURED DISTANCE

CS LINN COUNTY SURVEY OF RECORD

WITH

YPC YELLOW PLASTIC CAP

ROW RIGHT-OF-WAY

PUE PUBLIC UTILITY EASEMENT

B, P BOOK & PAGE

SDE STORM DRAIN EASEMENT TO MILL CITY

Parcel 1

Parcel 2

Parcel 3

20' wide storm easement

Fairview Avenue

SE 1st St

Parcel 1 = 5,040 sf

Parcel 2 = 5,144 sf

REGISTERED PROFESSIONAL LAND SURVEYOR

Cathy Butcher

OREGON

JANUARY 11, 1994

CORBY BOATWRIGHT

4142

EXPIRES DEC. 31, 2019

City of Mill City
P.O. Box 256
Mill City, Oregon 97360
Phone: 503-897-2302 Fax: 503-897-3499

Memorandum

Date: October 22, 2020
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: **Business for October 27, 2020 Council Meeting**

a. Requests for Leniency – Water Charges

At the October 13th meeting, the Council heard of requests for leniency on water charges for the month of September. The reasons varied from people who left sprinklers on when they were evacuated to people who had their water used to fight fires near their home. Because of the varying reasons, Council requested that those asking for leniency be contacted and advised that each would be considered on an individual basis upon submittal of a written request.

The following have submitted written requests, which are included in the packet for consideration:

- i. Wiseman, Ron
- ii. Martinez, Havilah
- iii. Keys, Ruth
- iv. Miller, Diane
- v. Krecklow, Fred
- vi. Morreira, George

As each is discussed and a decision made the Council should use one of the potential motions shown below.

Requested Action: Discussion.

Possible Motions: To Deny Request for Leniency on Water Charges for _____.

To Grant Request for Leniency on Water Charges in the Amount of _____ for _____.

b. Request for Waiver of Returned Check Fee; Briock, Dane

Enclosed is a request for waiver of a returned check fee for Dane Briock. Mr. Briock indicates

that upon his return home after the evacuation he inadvertently used a batch of old checks which were for a closed account, rather than those for his current checking account.

Requested Action: Discussion.

Possible Motion: To Deny Request for Waiver of Returned Check Fee for Dane Briock.

To Grant Waiver of Returned Check Fee for Dane Briock in the Amount of \$25.00.

c. TIGER Grant Update

The TIGER project is continuing to move forward. The full bridge closure is anticipated to go through November 20th with full opening no later than January 22, 2021.

The application for the historic designation of the Railroad Bridge has been prepared so that it can be sent to SHPO. It is being reviewed at this time by the SOB Committee.

Linn County is ready to advertise the Railroad Bridge project by October 30 with a December 1, 2020 bid opening. The Broadway Street Improvement project bid will be advertised on November 13 with a December 15, 2020 bid opening.

Requested Action: None. Information Only.

d. Ordinance No. 403 – Amending Chapter 17 of the Mill City Municipal Code

Enclosed is Ordinance No. 403, which amends Chapter 17 of the Mill City Municipal Code to allow the use of an RV as a temporary residence for transitional housing. The code outlines the requirement of an application for a permit to be submitted to the City, which must include a site plan that addresses location, screening, fencing or landscaping, water supply, sewage disposal and electrical connections. A filing fee, statement from the applicant certifying compliance with the code and a lease agreement are also possible applicant submittals.

The Ordinance limits occupancy of the RV to not more than four people, unless otherwise approved by the City and sets a 12 month time period with the ability to obtain two six month extensions. The Ordinance sunsets on December 31, 2022.

Because of the emergent situation of the fires and people being without homes, this Ordinance includes an emergency clause, which allows the Council to complete both readings and enactment at one Council meeting.

Requested Action: Motion to Read Ordinance No. 403 for First Reading by Title Only.

Motion to Read Ordinance No. 403 for Second Reading by Title Only.

**Motion to Enact Ordinance No. 403 and
to Direct Mayor Kirsch to Sign the
Ordinance as Enacted.**

ORDINANCE NO. 403

AN ORDINANCE AMENDING CHAPTER 17 “THE MILL CITY ZONING CODE” OF THE MILL CITY MUNICIPAL CODE.

WHEREAS, on September 7-8, 2020 the Beachie Creek and Lionshead wildfires destroyed many homes throughout the North Santiam Canyon; and

WHEREAS, many individuals and families need to find safe, affordable transitional or emergency housing; and

WHEREAS, ORS 446.265 states:

ORS 446.265

- (1) Inside an urban growth boundary, a local government may authorize the establishment of transitional housing accommodations used as individual living units by one or more individuals. Use of transitional housing accommodations is limited to persons who lack permanent or safe shelter and who cannot be placed in other low-income housing. A local government may limit the maximum amount of time that an individual or a family may use the accommodations.
- (2) Transitional housing accommodations are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes

WHEREAS, the City of Mill City believes the city government and property owners in the community can provide transitional housing opportunities for displaced residents of the North Santiam Canyon; and

WHEREAS, the City Council concludes the City should amend the Mill City Zoning Code to allow transitional emergency housing in the R-1, R-2, CH and Public zones; and

NOW, THEREFORE, the City Council of the City of Mill City hereby ordains as follows:

SECTION 1. Section 17.44.020.E., subsection 5, is hereby added to Chapter 17 of the Mill City Municipal Code to read as follows:

- E. RV Use as a Temporary Residence. The use of a recreation vehicle as a temporary residence is permitted provided that:
 5. The use of a self-contained recreational vehicle is for emergency/transitional housing, in response to the Beachie Creek and Lionshead wildfires. The RV use as a temporary residence is permitted as follows:

- a. In the R-1, R-2, and CH zones one recreational vehicle is permitted as an accessory use to a single-family dwelling or duplex, subject to the standards in Section 17.44.020.I of this Chapter.
- b. In any zone, one or more recreational vehicle(s) are permitted on property owned or leased by the City of Mill City, a county, state or federal agency, subject to the standards in Section 17.44.020.I of this Chapter.

SECTION 2. Section 17.44.020.I is hereby added to the Chapter 17 of the Mill City Municipal Code to read as follows:

Section 17.44.020.I

- I. **RV Use as Transitional Housing.** Standards for a recreation vehicle to be occupied as a temporary residence as emergency/transitional housing, in response to Beachie Creek and Lionshead wildfires, in the R-1, R-2 and CH zones are as follows:
 - 1. An application for a Transitional Housing permit to use a recreational vehicle as emergency housing shall be submitted to the city. The application shall include:
 - a. A completed application form;
 - b. A site plan showing the proposed location of the recreational vehicle on the site, including all permanent buildings, the location of the recreational vehicle, the RV space number, proposed screening, fencing or landscaping (if any) and how water supply, sewage disposal and electrical connections shall be accomplished in a safe and approved manner;
 - c. A filing fee in accordance with Section 17.64.070 of this title;
 - d. A statement from the applicant certifying that the applicant will comply with subsections (I)(3) through (I)(10) of this section.
 - e. A transitional housing lease agreement, if the RV is located on property owned, leased or managed by the City of Mill City, county, state or federal agency.
 - 2. The City Recorder shall be the decision authority.
 - 3. One recreational vehicle may be used for emergency housing on each lot, except as permitted by Section 17.44.020.E.5b.
 - 4. The recreational vehicle may not be occupied until after the application has been approved by the City Recorder and required building, plumbing and/or electrical permit(s) have been issued by the city.
 - 5. The recreational vehicle may be occupied by not more than 4 persons, unless otherwise approved by the City.
 - 6. The recreational vehicle may be occupied for a period of up to 12 months or for the time period listed in the transitional housing lease agreement with the City of Mill City.
 - 7. Upon written request, the City Recorder may grant not more than two six-month extensions.
 - 8. Evidence shall be presented showing that arrangements have been made for electric, water and sewer utility service to the recreational vehicle. [Note: The city may require the applicant to retain septage in a holding tank and dispose of the septage at a RV sewage dumping station rather than connecting to the city sewer or place a temporary on-site portable restroom on site.]
 - 9. The recreation vehicle shall be separated from all other buildings on the property or on adjacent properties by at least five (5) feet.

10. Upon the expiration of the Transitional Housing permit, the applicant and property owner shall agree in writing to remove the recreational vehicle from the lot within thirty (30) days.

SECTION 3. Emergency Clause. It is hereby adjudged and declared that the existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Mill City. An emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when signed by the mayor and passed by this council.

SECTION 4. Severability. The provisions of this ordinance are severable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Sunset Clause. This ordinance will remain in effect until December 31, 2022 at 11:59 p.m. PST.

This Ordinance read for the first time by title only on the 27th of October 2020.

This Ordinance read by title only for the second time on 27th of October 2020.

This Ordinance passed on the 27th day of October 2020 by the City Council and executed by the Mayor this _____ day of October 2020.

Date: _____

By: _____
TIM KIRSCH, Mayor

Date: _____

Attest: _____
STACIE E. COOK, City Recorder

APPROVED AS TO FORM

Date: _____

By: _____
JAMES L. McGEHEE, City Attorney

To:
Subject:

Mill City City Counsel
Water Bill

RECEIVED
OCT 20 2020

BY:

10/19/2020
Mill City
City Counsel

To Whom it may concern,

I Ron Wiseman of
441 S.E. Hazel
Mill City, Or 97360
Account: 000242-000

Along with the rest of Mill City was evacuated from my home from
09/07/2020 to 09/18/2020

At which time there was no water being used when we were evacuated all I was thinking about was
Frist get my family up and out of there it was after all 2am I did not take time to stop and water before we
Fled for our life's

I'm being charged \$138.09 for 18 days of usage when a 30 day bill cost me \$66.29

We were away from our home for 12 days (no water usage) I figure on the high side I should be billed around \$40.00

I know mistakes are made we all make them would you please look in to this as I do not
Believe that I am responsible for the deficit

Thank you
For your years of good service

Ron Wiseman

Ron Wiseman
10/19/2020

RECEIVED
OCT 19 2020

BY:

City of Mill City,

My address is 1041 NW Santiam Blvd.

This months water bill is over \$50 dollars higher than normal. This spike in water usage is due to the wilfire that burned through the canyon.

When we were evacuated we were unable to bring all of our animals with us. We left behind our livestock and ducks. In efforts to keep them alive, we let them all into the back yard and turned on the sprinklers.

My usage has never been near this high with exception to last year when we were away and the fellow watching our property left the water on.

I am requesting a credit on my next bill for the extra water used during this event.

Thank you for your consideration,

Havilah Martinez



City of Mill City
City council
Mill City, Oregon 97360
503-897-2302

RECEIVED
OCT 19 2020

BY:

Ruth Keys
975 SW Linn
Po box 323
Mill City, Oregon 97360

Dear City Council,

I appreciate your time and consideration.

I am writing this letter to ask you to adjust my October water bill. While we were evacuated one of my neighbors turned my water on and left it on as a preventative measure due to the fires. I was appreciative for the gesture however I had my water off for a reason due to the massive leak. Since the water was left on and the leak wasn't fixed yet it generated an extremely large water bill that I cannot afford. I am still laid off from the Mt. Cafe and live off the minimal weekly unemployment benefits. I would really appreciate an adjustment. I paid my September water bill in full as well as my typical monthly amount of \$80.00 for my October water bill. Again, thank you for your time and consideration.



Ruth Keys

City of Mill - Water & Sewer Bill.

①

10/15/2020

Diane G. Miller
220 NE Alder St

Before the fire I had my SOAKERS ON around the house front & back. I think my bill WAS AROUND \$196. When I left I turned all the water off.

I returned about a week after the level three and moved back into the house. Then I heard there WAS a fire at the lumber company so I panicked and left again. When I come back and there was a level ~~three~~ 2 I went into my back yard which is surrounded by the black berries from the city property. my neighbor across the

(2)

street. Had found some sprinklers and put them on where the black berry bushes and my oriental grasses were, to keep them from catching fire. I turned it off as soon as I got home.

I'm 71, live on a fixed income and my cancer has returned. Also there has been some ~~vandalism~~ vandalism in our neighborhood.

Vandalism in our neighborhood. screw drilled into the side wall of my van's tire. Rocks thrown into the gas tank of my sister's car and gas cap taken. These are all additional expenses that is why I'm asking that you give me a discount.

I'm very grateful to my neighbor for what he did, as this is not a complaint against him.

Sincerely
Deane G Miller

RECEIVED
OCT 21 2020

To:

BY:

Subject:

Stationery

MILL CITY CITY COUNCIL

This is a request from Fred Krecklow at 769 SW Spring St, in reference to my water bill, for September, which is \$133.48. and I feel this is not acceptable, as we were evacuated from our home on September 8th, for 3 weeks and no one was in our home during that time. If someone drove by during that time and saw the lawn sprinklers on, it was being done with my river pump and has nothing to do with the home water system. I feel that a large reduction be allowed. on my water bill.

Thank you for your consideration on this issue.

Yours Truly

Fred N. Krecklow



October 21, 2020

RECEIVED
OCT 22 2020
BY:

City of Mill City,

This letter is regarding the current situation of our ongoing leak bill. Our bill for September is \$967.52.

On the night of the fire we had no water pressure when we turned on the water hose. Two days later George was told the water was turned off because the meter was spinning so fast. With everything that was going on that night, we can only speculate what caused this major leak.

In lieu of the current bill, we are asking the City of Mill City to reduce the amount owed so we can repair the water line.

We have been living in Salem since we left on the night of September 7th and desperately want to return home!

Thank you.

Sincerely,

George and Sheryl Morreira

George Morreira
Sheryl Morreira

10-21-2020

Regarding Dane Briock
Address 1090 NW Alder St.

I am ~~sorry~~ for the mix up about the checks being bad. When we came back from being evacuated I couldn't find where I put the checks. I found the others and thought they had just been misplaced. so I used them. I didn't know they were bad.

RECEIVED
OCT 16 2020

I am
very
sorry

BY: