



CITY OF MILL CITY

AGENDA OF THE CITY COUNCIL

November 10, 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 27, 2020
- b. Approval of Accounts Payable
- c. Acceptance of Monthly Revenues & Expenditures Report, October, 2020

5. LINN COUNTY SHERIFF'S REPORT

6. PUBLIC WORKS REPORT

- a. Pump Report
- b. Mill City Falls Parking Lot
- c. Old Dump Site Property
- d. Other

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

8. PUBLIC HEARING: None Scheduled.

9. PRESENTATIONS: None Scheduled.

10. OLD BUSINESS

- a. SRTS Grant Update
- b. ODOT SCA Grant – SW 2nd Avenue
- c. Other

11. NEW BUSINESS

- a. Requests for Leniency – Water Charges
- b. Request for Placement of Propane Tank- Kimmel Park
- c. Lease Agreement – Temporary Housing Site
- d. Temporary Housing Agreement - Residents
- e. Resolution No. 857 – Waiver of Permit Fees for Dwellings Lost to September 2020 Fire
- f. Resolution No. 858 – Reduction of Conditional Use Permit Fee for Those Affected by September 2020 Fire
- g. Other

12. STAFF/COMMISSION REPORTS

- a. City Recorder Report:
 - i. List of On-Going Old Business Items
 - ii. Other
- b. City Attorney Report:
 - i. Other
- c. Planning Commission Report/Record of Actions:
 - i. Minutes of Regular Planning Commission Meeting of August 4, 2020

13. BUSINESS FROM MAYOR & CITY COUNCILORS

Administration/ Intergovernmental

- a. Building
- b. Parks/Safety
- c. Water/Sanitation
- d. Street
- e. Police
- f. Mayor

14. EXECUTIVE SESSION: None Scheduled.

15. INFORMATIONAL ITEMS:

- a. Notice of Rate Adjustment – WAVE Broadband

16. ADJOURNMENT

CALENDAR OF UPCOMING CITY MEETINGS & EVENTS

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

REQUEST FOR COUNCIL ACTION

DATE: November 5, 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 27, 2020
- b. Approval of Accounts Payable
- c. Acceptance of Monthly Revenues & Expenditures Report, October, 2020

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, October 27, 2020**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Brett Katlong, Dawn Plotts, and Tony Trout. Councilor Steve Winn was absent. Staff members in attendance were City Recorder, Stacie Cook and City Clerk, Tree Fredrickson.

Citizens in attendance were Ann Carey, Matthew Edington, Bob Johnston, Roel Lundquist, George Morriera, Russ Morriera, and Gary Olson.

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 requested item c; Ratification of Planning Commission Approval of File No. 2020-08, Minor Partition, Baughman, Scott - 100 Block SE Fairview Street, be pulled from the Consent Agenda for discussion.

Councilor Katlong moved and was seconded by **Councilor Trout**, to approve items a; Approval of Minutes of Regular City Council Meeting of October 13, 2020, and b; Approval of Accounts Payable of the Consent Agenda. Mrs. Fredrickson polled the Council. The motion passed unanimously, (5:0).

Mayor Kirsch asked for discussion on item 'c' of the Consent Agenda.

Councilor Plotts said that she is concerned about the placement of driveways for parcels 1 and 2 as they may interfere with existing access to homes directly across Fairview Street and asked if this might be considered when they are developed. Mrs. Cook said that she can mention this concern to the property owner.

Councilor Trout moved and was seconded by **Councilor Katlong** to approve item c; Ratification of Planning Commission Approval of File No. 2020-08, Minor Partition; Baughman, Scott – 100 Block SE Fairview Street. The motion passed unanimously, (5:0).

CITIZEN COMMENTS/QUESTIONS – Robert Johnston, SE Hazel Street, thanked City Staff for all their help during the wildfire evacuation.

Mr. Johnson expressed his concern with the lack of any evacuation plan during the recent wildfires, asking if the City has an official evacuation plan in place. Mayor Kirsch said that he was not aware of an official evacuation notice for Mill City. After the 1993 earthquake emergency plans were being looked at but were not completed, noting that Linn County Sheriff's Office has a link on its website that citizens can use to sign up to receive emergency alerts. There have been preliminary discussions about notification changes since the fire as well. Councilor Trout said that it was mentioned at the last meeting that the 9-1-1 system was down.

Matthew Edington, SW 4th Avenue, said that he did not hear the whistle blow and said that the fire station whistle needs to blow continuously to warn Mill City residents.

Mayor Kirsch said that the whistle belongs to the fire department. Any changes would have to be coordinated with emergency management and the Sheriff's office.

MISC. CITY RECORDER ITEMS:

Request for Leniency – Water Charges - At the October 13th meeting, the Council heard 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:

1. Wiseman, Ron
2. Martinez, Havilah
3. Keys, Ruth
4. Miller, Diane
5. Krecklow, Fred
6. Morreira, George

Councilor Trout asked about the request for Fred Krecklow, suggesting that the meter should be reread and checked for a leak. Mrs. Cook said that a read was taken on Mr. Krecklow's water meter to see if there was a leak or misread and there was not.

Mr. Edington said that, in his opinion, the City should take off a percentage as a courtesy due to the fires in September.

Councilor Trout said that it would be nice to reduce September's water bill but the City has a responsibility to pay back water bonds and to weigh the City's budget as well.

Councilor Katlong asked that George Morriera's request be looked at next since he was in attendance.

Mr. Morriera said that he has a water line that is one mile long that has been leaking for years and has since become worse due to the wildfires. The September water bill is over \$900. Mr. Morriera said that he has had contractors and well drilling companies come in and give him cost estimates. One estimate came in at over \$30,000, something he cannot afford. Mr. Morreira asked for help from the City in replacing this line and a reduction in the large water bill.

Mayor Kirsch said that due to the wildfire, help may be available through FEMA as they help with infrastructure issues. The problem the City has in replacing this line is that taxpayer monies cannot be expended for just two homes at the end of the mile-long line that is outside of city limits. The customer is responsible for everything from the meter, which sits just inside the city limits, to the home.

Councilor Trout asked Mr. Morriera if he has located the leak and he replied that he has not. The water has been turned off to both houses at this time.

Mayor Kirsch asked what the August bill for this account was. Mrs. Cook said that the bill was \$173.62. Mayor Kirsch said that he is in favor of dropping Mr. Morriera's water bill down to \$173.62.

Councilor's Trout, Katlong, Plotts and Zeyen-Hall were all in agreement. Mr. Morriera thanked Council for their consideration.

Councilor Trout moved to Deny Leniency on Items 1 through 5 of Item "A" of the business memo. Councilor Katlong called for discussion, asking Councilor Trout his reasoning to deny all.

Councilor Trout said that he had read through the letters and feels everyone made a choice to turn on their water. These requests do not fall under the City's normal criteria and there were many others who had high water bills and paid them without complaint. Councilor Trout asked why these people should get special consideration for reduction requests.

Councilor Katlong seconded Councilor Trout's motion.

Councilor Plotts called for additional discussion.

Councilor Trout said that these requests don't fall under the leak reduction criteria. The City has never credited a bill when a neighbor turns the water on. The customer should discuss this with the neighbor.

Mayor Kirsch said that this is not a normal situation and that he understand someone's panic and turning sprinklers on. Leniency could be done for these.

Councilor Trout said that many turned sprinklers on and most paid their bill without requesting a reduction.

Councilor Katlong said that he feels people should be allowed payment arrangements if they are needed.

Mayor Kirsch called for a vote. The motion passed (4:1) with Mayor Kirsch voting nay.

Mayor Kirsch moved and was seconded by **Councilor Trout** to Reduce George Morriera's September Bill to His August Charge of \$173.62. The motion passed unanimously, (5:0).

Councilor Katlong suggested that Utility Billing Clerk Kimberley Johnson contact the others who were denied and offer them a payment plan for their outstanding bills.

Request for Waiver of Returned Check Fee; Briock, Dane – Dane Briock has submitted a request for waiver of a returned check fee. 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.

Councilor Zeyen-Hall asked if the City was charged a fee from Mr. Briock's bank. Mrs. Cook said the City has not received a bank statement yet so staff does not have this answer.

Roel Lundquist, SW Linn, suggested that the City only charge the amount the City is charged for an NSF check. There is no reason for the City to lose money.

Councilor Trout moved and was seconded by **Councilor Katlong** to Match the Bank Fee, Capped at \$25.00, for Mr. Briock's Returned Check. The motion passed unanimously, (5:0).

TIGER Grant Update – The TIGER project is continuing to move forward. The full bridge closure is anticipated to go through November 20th with a 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 State Historic Preservation Office. It is currently being reviewed by the Save Our Bridge 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.

Ordinance No. 403 – Amending Chapter 17 of the Mill City Municipal Code – Council was presented with 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, a 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 emergency 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.

Councilor Zeyen-Hall asked if this Ordinance applies to someone already living in a trailer behind a home for a period of 2 years. Mrs. Cook said that this situation is illegal and she will look into it.

Mayor Kirsch asked if someone lost their home in Detroit to the fires could park a trailer on property in Mill City. Mrs. Cook said that if the permit process was followed, yes.

Mr. Lundquist questioned the wording in the ordinance Whereas related to the ORS, concerning a 'local government'. Mrs. Cook clarified that the City does not have the authority to govern anything outside the city limits.

Mrs. Cook suggested adding "inside City limits" 'directly after the word housing in the last "Whereas" clause.

Mayor Kirsch said that he is concerned about people parking their RVs outside city limits and would like to have some control over this. Mrs. Cook suggested that a sixth "Whereas" be added which reads: "Whereas, the City Council encourages Linn and Marion Counties to require a permitting process for the Urban Growth Area as well." This could be sent to Linn and Marion County Commissioners for their knowledge.

It was noted that the Public Zone is shown in the final "Whereas" of the ordinance but not within the sections in the body of the document. Mrs. Cook said that the Public Zone will be dealt with differently so the reference should be removed. Council consensus to remove "Public" from the fifth "Whereas."

Councilor Trout moved and was seconded by **Councilor Katlong** to read Ordinance No. 403 for First Reading by Title Only, as Amended. The motion passed unanimously, (5:0).

Mrs. Cook read Ordinance No. 403 by title only.

Councilor Zeyen-Hall moved and was seconded by **Councilor Trout** to Read Ordinance No. 403 for Second Reading by Title Only, as Amended. The motion passed unanimously, (5:0).

Mrs. Cook read Ordinance No. 403 by title only.

Councilor Katlong moved and was seconded by **Councilor Trout** to Enact Ordinance No. 403, as Amended and to Direct Mayor Kirsch to Sign the Ordinance as Enacted. The motion passed unanimously, (5:0).

Councilor Zeyen-Hall said that there were posts on Facebook about suggestive notes found in Kimmel Park. The LCSO is aware of this issue and is working on it.

Councilor Katlong said that he is concerned that there is no safety signage erected around the school projects. The contractor cut out asphalt leaving a 6" deep cut line. This is a safety hazard. Councilor Katlong said that City Hall should be notified of any traffic changes and hazards as should any residents these actions affect.

Mayor Kirsch suggested a polite conversation needs to begin with the school superintendent as this is their project.

Mr. Lundquist suggested that these complaints be put in writing. Councilor Katlong agreed.

Councilor Plotts asked where the Detroit City Hall will be located while the City rebuilds. Mrs. Cook said they will be using the old Deerhorn site to place a modular home in the northeast corner until the official City Hall is built.

Councilor Plotts asked if there could be a dedication of a part of the walkway from the railroad bridge to Memorial Park in honor of Anita Leach, noting she was instrumental in getting the railroad bridge reconstruction started. Mayor Kirsch asked Councilor Plotts to work on details of doing so. Councilor Zeyen-Hall offered to help.

Mrs. Cook said that Linn County has agreed to offer free building permits for those homes that were lost in the fires. As a contract city with Linn County, does the Council want to authorize a full waiver of permit fees, plus the City's 5% zoning fee, or to decline?

The requirements to obtain a free building permit from Linn County are: a permitted dwelling will replace a lawfully established dwelling that was located within an area administrated by Linn County and was damaged/lost in the September 7, 2020 wildfires. The free permit is for the construction of one single-family dwelling or the sighting of one manufactured home and does not apply to any other building or structure. All applicants must comply with applicable codes and requirements of a building permit.

Gary Olson, SW Spring Street, asked if this free permitting process applies to someone who purchases an empty lot that had a home lost to the fire. Mrs. Cook said the free permit is only for the impacted property owner.

Mayor Kirsch said that he agrees with waiving the building fees and wants to encourage people to stay and rebuild. It was Council's consensus to waive fees for Mill City per Linn County requirements.

Mrs. Cook said that property owner of a multi-family site lost a one bedroom cottage in the fire and is inquiring if he can rebuild two units in one structure. Mrs. Cook said that this application would normally go before the Planning Commission as a modification to the use due to the multi-use zoning. However, Staff recommends, due to the circumstances that the owner be allowed to rebuild without the planning review as long as parking requirements can be met.

A motion authorizing Mr. Kinney and Mrs. Cook to review and approve zoning requirements for the replacement structures lost to the fire, should be made if Council agrees.

Councilor Trout moved and was seconded by **Councilor Katlong** to Authorize Staff to Review and Approve Zoning Requirements for the Replacement of a Structure Lost to the Fire at 612 NE Santiam Blvd. The motion passed unanimously, (5:0).

Mrs. Cook said that the City was informed of a \$55,000 allocation to the City of Mill City for Coronavirus expenditures through the CARES Act. Mrs. Cook said that this could be used for laptops, computer screens and similar items necessary for remote meetings. Councilor Trout suggested purchasing the electronic payment software the City has been considering. Mrs. Cook

said that a supplemental budget may be needed. Expenditures must be submitted by December 31, 2020 to receive the funds.

ADJOURNMENT

The meeting was adjourned at 8:48 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor

Mill City

Pumping Report - meter read date to meter read date

YEAR 2019						
Month	Gallons Billed Out	Dollars Billed Out	System Pumped	Total Gallons Avail for Sale	Gallons Avail Less Billed	% Unmetered Loss
DEC	3,906,804		5,730,000	5,730,000	1,823,196	31.82%
JAN	3,280,728		5,589,000	5,589,000	2,308,272	41.30%
FEB	3,912,040		5,374,000	5,374,000	1,461,960	27.20%
MAR	4,170,848		5,713,000	5,713,000	1,542,152	26.99%
APR	3,187,228		5,370,000	5,370,000	2,182,772	40.65%
MAY	4,921,092		6,350,000	6,350,000	1,428,908	22.50%
JUNE	5,458,904		8,068,000	8,068,000	2,609,096	32.34%
JULY	5,443,196		9,119,000	9,119,000	3,675,804	40.31%
AUG	7,402,956		9,788,000	9,788,000	2,385,044	24.37%
SEP	5,614,488		6,184,000	6,184,000	569,512	9.21%
OCT	3,454,264		5,254,000	5,254,000	1,799,736	34.25%
NOV	3,821,532		5,299,000	5,299,000	1,477,468	27.88%
DEC	3,081,012		5,030,000	5,030,000	1,948,988	38.75%
TOTALS	57,655,092		82,868,000	82,868,000	25,212,908	30.43%

year 2020						
Month	Gallons Billed Out	Dollars Billed Out	System Pumped	Total Gallons Avail for Sale	Gallons Avail Less Billed	% Unmetered Loss
DEC	3,081,012		5,030,000	5,030,000	1,948,988	38.75%
JAN	3,705,592		5,383,000	5,383,000	1,677,408	31.16%
FEB	3,319,624		4,655,000	4,655,000	1,335,376	28.69%
MAR	2,922,436		5,075,000	5,075,000	2,152,564	42.42%
APR	3,614,336		5,203,000	5,203,000	1,588,664	30.53%
MAY	3,728,780		6,057,000	6,057,000	2,328,220	38.44%
JUNE	5,108,092		6,331,000	6,331,000	1,222,908	19.32%
JULY	5,924,908		10,005,000	10,005,000	4,080,092	40.78%
AUG	9,249,768		9,783,000	9,783,000	533,232	5.45%
SEP	5,557,640		8,845,000	8,845,000	3,287,360	37.17%
OCT	3,915,780		6,215,000	6,215,000	2,299,220	36.99%
NOV						
DEC						
TOTALS	50,127,968		72,582,000	72,582,000	22,454,032	30.94%

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

Memorandum

Date: November 5, 2020
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: **Old Business for November 10, 2020 Council Meeting**

a. SRTS Grant Update

ODOT released a map denoting areas of successful grant applications. Unfortunately, Mill City did not make the list this year. I have been advised that the application process is being reviewed in order to ensure that, eventually, all applications are funded.

Requested Action: None. Information Only.

b. ODOT SCA Grant – SW 2nd Avenue

We received notification on Monday that we were successful in our application to ODOT for an SCA grant to complete work on SW 2nd Avenue. An agreement will be forthcoming and will be brought to Council upon arrival.

Requested Action: None. Information Only.

c. Other

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

Memorandum

Date: November 5, 2020
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: **New Business for November 10, 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. Schumann, Adam
- ii. Kailing, Peter
- iii. Browne, Ray
- iv. Jones, Esther

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 Placement of Propane Tank – Kimmel Park

The park hosts have purchased a new, larger fifth wheel. Due to the size, their propane use has increased, making it a continual process to keep their tanks filled. Because of this, they have requested permission to place a 120 gallon propane tank at their site in Kimmel Park. They have

indicated that the purchase and placement will be at their expense.

The only concern that I have with this request is the possibility of the tank becoming an attractive nuisance to those looking to cause trouble in the park. If the Council okay's the placement of a larger tank, it may be wise to require that it be placed in an enclosed secure structure.

Requested Action: Discussion.

c. Lease Agreement – Temporary Housing Site

The draft lease agreement, given to Council last month, is enclosed for review. City Attorney Jim McGehee is reviewing the language and determining if anything needs to be modified. The draft has also been provided to property owner, Ed Rada, for his review.

I am hopeful that I will have comments from Mr. Rada back in time to present them at Tuesday's meeting. We are almost finished with the final piece of the temporary housing development; electrical, and staff would like to have this agreement signed and in place as quickly as possible in order to allow those needing housing to begin moving in.

Requested Action: Discussion.

d. Temporary Housing Agreement - Residents

City Attorney Jim McGehee is still working on this agreement. I am planning to have a draft ready to present to Council at Tuesday's meeting.

One imperative question that still remains to be answered is that of fees. Considering that the electrical and water connections are based off of one meter, the City should consider a small fee to cover the cost of utilities for those residing at this location.

Requested Action: Discussion.

e. Resolution No. 857 – Waiver of Permit Fees for Dwellings Lost to September 2020 Fire

Enclosed is Resolution No. 857, which implements the Council decision to move forward with waiver of permit fees for those dwellings lost or damaged by the Beachie Creek/Santiam Fire. The resolution is written to include waiver of the building permit and zoning fees collected by the City. Should the Council wish to still charge the 5% zoning fee, this language will need to be removed.

City Attorney Jim McGehee has reviewed the resolution and has no concerns. A motion to approve the resolution is needed to complete this process.

**Requested Action: Motion to Approve Resolution No. 857 –
Implementing a Policy to Facilitate Temporary
Waiver in Cost to Obtain Building Permits for**

**Property Owners Replacing Lawfully
Established Dwellings that were Damaged or
Destroyed in the September 2020 Wildfires.**

**f. Resolution No. 858 – Reduction of Conditional Use Permit Fee for Those Affected by
September 2020 Fire**

Enclosed is Resolution No. 858, which implements use of the Conditional Use Permit application and a temporary reduction of the application fee from \$250.00 to \$25.00 for those affected by the Beachie Creek/Santiam Fire. The fee was discussed last month and Council reached a consensus to reduce to the \$25.00 for this purpose only.

City Attorney Jim McGehee has reviewed the resolution and has no concerns. A motion to approve the resolution is needed to complete this process.

**Requested Action: Motion to Approve Resolution No. 858 –
Implementing a Policy to Facilitate a Temporary
Reduction in Cost to Obtain a Conditional Use
Permit for Recreational Vehicle Use as Temporary
Residence for Those Affected by the September
2020 Wildfires.**

g. Other

RECEIVED
OCT 26 2020

BY:

10/26/20

To whomever can assist,

I am asking for assistance with my nearly \$600.⁰⁰ water bill due to the fires that occurred the 7th - 27th of September.

When we were evacuated, we did the best we could to saturate our lawn & slash-pile to reduce the chances of fire. Though our sprinklers were turned off, a single hose was left running.

Understandably, like many others we are trying to catch-up on bills, as Red Cross & FEMA may not help many. Insurance isn't covering for this emergency. Any assistance in the relief of our bill would be greatly appreciated. Thank you.

God Bless,

Ray Boone

555 SW Ivy st

28

In hopes of saving my property, I would hope that these efforts be taken into consideration whilst reviewing my bill.

Sincerely
Adam Schumann

Also on a bill
of \$3000 for the
my family
due at \$438.44

12

RECEIVED
OCT 23 2020

Dear Council Members,
BY:.....

I would like for you to take into consideration

The recent fires and the fact that I

needed to work my large

vegetable garden which

as a single father and

provider for my household

is extremely helpful in

providing for my daughter.

I left my sprinklers on more than normal

throughout the fire

October 28, 2020

To: City of Mill City
Water Department

From: Peter Kailing
49046 SE Fairview St.

RECEIVED
OCT 29 2020
BY.....

Re: Account Number 000339-000

I am writing to advise you of the circumstances that resulted in an increase on our September 30, 2020 water bill. We were evacuated from our home on the evening of September 7th, due to the wildfires. We did NOT leave any water running, i.e., sprinklers, when we left. Two days later we returned to discover our great room and 2 car garage had been burned to the ground. We did not notice right away that one of the water pipes feeding the great room was broken below the ground and water was leaking quite heavily. We decided to have the pipe capped-off, but only after we discovered the leak. This resulted in a water bill in the amount of \$290.37. Our typical water bill is \$70.00 or less.

I am asking you to consider a credit to my account, since the water leak was not due to my negligence, or leaving any water running during the evacuation period. I appreciate any adjustments you can make.

Thank you.

Peter Kailing

RECEIVED
NOV 06 2020

BY:

157 SW 10th Ave
Mill City, OR 97360
November 5, 2020

Mill City City Council
PO Box 256
Mill City, OR 97360

To Whomever it may concern,

So sorry to ask this of you, but I am asking for a one-time reduction or payment plan for my October service water bill of \$524.79. I have been unable to work since the beginning of August through the present of this year due to some life-threatening medical issues, an emergency surgery, and a recovery period. This also impaired my ability to travel back to Mill City to turn off the soaker hose I left running while evacuating from the fire. I asked the City on Sept 9th via Facebook to turn it off and thought it was off as of the 19th of Sept when a neighbor friend checked on it. Sadly, I don't know what happened between then and October 13th when I was finally able to return home, but the soaker hose was going full force. Since my Sept bill was for \$220, I assumed the October bill would be a little less. I put aside \$200 and can pay that for sure, but as my electricity bill goes up over the winter a payment like that is unsustainable for me. I work per diem and have limited hours due to my medical disability, but I think I can reliably pay \$30/mo on top of my normal \$70/mo bill and pay extra when I have extra starting in December.

Thank you for any assistance you can provide!

Sincerely,
Esther Mae Jones

AGREEMENT

This agreement entered into this ____ day of _____, 2020 by and between the City of Mill City a duly organized municipal corporation (hereinafter referred to as "City") and _____ (hereinafter referred to as "Land Owner")

RECITALS

WHEREAS, On September 7th and September 8th, 2020 a massive fire swept through the North Santiam Canyon, Elkhorn and Opal Creek causing major destruction to property, including but not limited to, personal residences, business' and other structures;

WHEREAS, Shortly thereafter the Governor of the state of Oregon declared it an emergency in the North Santiam Canyon;

WHEREAS, Next President Donald Trump of the United States declared the areas set forth above a disaster area;

WHEREAS, FEMA has come in and is in the process of helping people reestablish their residences after the fire, and is providing additional help to the residents and municipalities affected by the fire.

WHEREAS, The City in an attempt to help mitigate the effects of the fire on the residents of the areas described in the recitals above is going to enter into agreements with property owners in the City to provide a space to allow the placement of personally owned travel trailers, motor homes and fifth wheels (hereinafter referred to as "RV's")

WHEREAS, Land Owner is desirous of allowing the City to make temporary improvements to the property owned by Land Owner and described below to allow the use of RV's on the land.

NOW THEREFORE in consideration of the mutual promises herein contained the City agrees with Land Owner as follows:

1.

The recitals set forth above are incorporated into the body of this agreement as is fully set forth herein.

2.

Land Owner agrees to lease to City certain property owned by Land Owner located within the corporate limits of the City of Mill City more particularly described as follows:

3.

The lease shall be for the consideration of \$1.00 receipt of which is hereby acknowledged by Land Owner.

4.

City intends to use the premises described above for the placement of RV's.

5.

City will be responsible for putting in all of the infrastructure, including but not limited to, electricity for the use of the RV's; hook up to sanitary sewer system for the use of the RV's; and water hookups; the city will make any and all improvements that are required to allow the RV's to park on the above described premises.

6.

This agreement shall continue into the foreseeable future with the understanding that either party can terminate the agreement by giving the other 30 days written notice of its intent to terminate the agreement.

7.

It is not the intent of Land Owner and City to enter into an agreement that in any way creates a landlord tenant agreement whereas the Oregon Revised Statutes Chapter 90 would apply.

8.

City agrees to hold Land Owner harmless from any causes of action that may arise out of the City's use of the property owned by the Land Owner, including but not limited to, any cause of action that is brought by people who are keeping their RV's on the above described property and being serviced by the City.

9.

Land Owner states that there are no known hazardous upon the land. City agrees it will return the property into substantially the same condition as it was prior to the entry into this agreement.

10.

City agrees to propagate rules for the people to follow who use the property to ensure that the real property will not be damaged.

This agreement is entered into on the date first set forth above.

City of Mill City
By: Tim Kirsch, Mayor

Landlord

Resolution No. 857

A Resolution Implementing a Policy to Facilitate a Temporary Waiver in the Cost to Obtain Building Permits for Property Owners Replacing Lawfully Established Dwellings that were Damaged or Destroyed by the September 2020 Wildfires

WHEREAS, on September 7, 2020 the Beachie Creek/Santiam Fire swept through the Santiam Canyon, including the City of Mill City; and

WHEREAS, residences in Mill City were damaged or destroyed as a result of the fire; and

WHEREAS, on October 27, 2020 the Linn County Board of Commissioners adopted Resolution & Order No. 2020-334, authorizing waiver of costs for building permits for property owners replacing lawfully established dwellings that were damaged or destroyed by the September 2020 wildfires; and

WHEREAS, the City of Mill City contracts with Linn County Planning and Building Department for permit and inspection services; and

WHEREAS, the City of Mill City has adopted a Zoning Fee for all building permits; and

WHEREAS, the City Council of the City of Mill City desires to facilitate and encourage the timely cleanup and redevelopment of lawfully established dwellings that were damaged or destroyed by the September 2020 wildfires and provide financial relief to support rebuilding wherever possible; and

Now, therefore, be it resolved by the City Council of the City of Mill City:

1. The recitals are incorporated herein as if set forth in full.
2. The City Council directs the City Recorder to follow and implement the Linn County program for provision of free building permits to owners of lawfully established dwellings that were damaged or destroyed by the September 2020 wildfires by waiving applicable building permit fees.
3. The City Council directs the City Recorder to waive the City of Mill City Zoning Fee for all building permits which are issued under the Linn County building permit waiver program for provision of free building permits to owners of lawfully established dwellings that were damaged or destroyed by the September 2020 wildfires.
4. This resolution is effective immediately and shall remain in effect for qualifying permits issued between September 8, 2020 and September 8, 2025.

Approved and Adopted by the City Council on the 10th day of November, 2020.

BY: _____
Tim Kirsch, Mayor

DATE: _____

ATTEST: _____
Stacie Cook, MMC, City Recorder

DATE: _____

Resolution No. 858

A Resolution Implementing a Policy to Facilitate a Temporary Reduction in the Cost to Obtain a Conditional Use Permit for Recreational Vehicle Use as Temporary Residence for Those Affected by the September 2020 Wildfires

WHEREAS, on September 7, 2020 the Beachie Creek/Santiam Fire swept through the Santiam Canyon; and

WHEREAS, residences in the communities of Lyons, Mehama, Mill City, Gates, Detroit, Idanha and within unincorporated areas of Linn and Marion Counties were damaged or destroyed as a result of the fire; and

WHEREAS, on October 27, 2020 the City Council of the City of Mill City adopted Ordinance No. 403, amending Chapter 17 "The Mill City Zoning Code" to allow RV use as a temporary residence for those affected by the September 2020 wildfire until December 31, 2022; and

WHEREAS, Ordinance No. 403 requires an application for a Transitional Housing Permit; and

WHEREAS, the City of Mill City has adopted a Conditional Use Permit application for temporary use of an RV as a dwelling, which has a set fee of \$250.00; and

WHEREAS, the City Council of the City of Mill City desires to provide temporary respite to those affected by the September 2020 wildfires and provide financial relief to support rebuilding wherever possible; and

Now, therefore, be it resolved by the City Council of the City of Mill City:

1. The recitals are incorporated herein as if set forth in full.
2. The City Council directs that the Conditional Use Permit application be used for those applying under the criteria set forth in Section 17.44.020.E, Subsection 5 and 17.44.020.I of the Mill City Zoning Code and shall be an administrative review and approval process.
3. The City Council directs the City Recorder to reduce the City of Mill City Conditional Use Permit Fee to \$25.00 for all applicants who meet the criteria set forth in Section 17.44.020.E, Subsection 5 and 17.44.020.I of the Mill City Zoning Code.
4. This resolution is effective immediately and shall remain in effect until December 31, 2022 at 11:59 p.m. PST.

Approved and Adopted by the City Council on the 10th day of November, 2020.

BY: _____
Tim Kirsch, Mayor

DATE: _____

ATTEST: _____
Stacie Cook, MMC, City Recorder

DATE: _____

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

Memorandum

Date: November 5, 2020
To: Mayor Kirsch and City Councilors
From: Stacie Cook, MMC, City Recorder
Subject: City Recorder Report for November 10, 2020 Meeting

1. List of On-Going Old Business Items

Enclosed is the current list of on-going old business items. If there are items which should be added that I have missed, please let me know. As always, if there are any items on the list that you would like to discuss please pull it under old business on the agenda.

Requested Action: None. Information Only.

2. Other

On-Going Old Business Items

1. Income Study
2. Certificate of Occupancy/Planning and Building Services Agreement
3. Personnel Handbook
4. Nuisance Grass Process
5. Nuisance Grass Fee Schedule
6. KeyScan Cards
7. Actuators
8. Security Cameras
9. City Administrator Job Description
10. Sewer Rate Study
11. Sewer SDC Study
12. Additional SDC Implementation (Street, Storm, Parks, etc.)
13. Update Current Fee Schedule
14. Implementation of Missing Fees (Notary, etc.)
15. Engineering RFQ
16. Sewer Capacity Study
17. Large Event Use Policy
18. City Hall Artwork
19. NW Alder Street Slide Area
20. Strategic Plan/Goal Setting
21. Misc Parking Changes
22. SW Cedar St. SCA grant
23. City Hall Entry Posts/Cleaning
24. TIGER Grant
25. The Reid House
26. MCGRA Agreement

MILL CITY PLANNING COMMISSION
Meeting of August 4, 2020

Planning Commission members present: Chair Ann Carey, Jim Grimes, Marge Henning, Woody Koenig, David Leach and Debbie Schenck. Sandy Lyness was excused.

Staff in attendance: Planning Advisor David Kinney and City Recorder Stacie Cook.

City Council Representatives: None.

Agency/Applicant Representatives: None.

Citizens: Robert Johnston.

The meeting was called to order at 6:30 p.m. Chair Ann Carey led the pledge of allegiance.

APPROVAL OF MINUTES: *Marge Henning moved, seconded by Dave Leach to approve the minutes of June 16, 2020. The motion carried, (6:0).*

Chair Carey welcomed new Planning Commissioners Jim Grimes and Debbie Schenck.

ELECTION OF OFFICERS: Marge Henning nominated Ann Carey as Chair. Debbie Schenck seconded the nomination. No additional nominations. Nomination carried.

Woody Koenig nominated Marge Henning as Vice Chair. Jim Grimes seconded the nomination. No additional nominations. Nomination carried.

City Recorder Stacie Cook was reappointed as Secretary.

PUBLIC COMMENT: None.

PUBLIC HEARING: None. Scheduled.

PRESENTATIONS: None Scheduled.

OLD BUSINESS:

Mill City Zoning Code Amendments: Mr. Kinney said that a draft of the Public Facilities code is ready for final comments. Within the code there will be maps and tables which outline various kinds of streets and types of improvements required for different developments. These will be very helpful to staff when discussing development of properties with interested people.

Mr. Kinney asked the Committee about inclusion of a requirement for street improvements to be constructed with multi-family development. A consensus to move forward with the requirement for any development of six or more units was given.

Once the maps and tables in the code have been updated and reviewed by the Planning Commission, the draft code will be provided to the Council for review and comment. A public hearing before the Planning Commission can then be set.

The Riparian code chapter has also been drafted. Mr. Kinney requested a sub-committee to review the language before it is discussed further by the Planning Commission. Mr. Kinney will send possible dates out for consideration.

TIGER Grant Update: Mr. Kinney stated that the Federal Highway Administration has approved the final designs for the Railroad Bridge and SW Broadway Street improvements. Bid documents are expected to be out by October or November with a spring construction start for the Railroad Bridge and early summer for SW Broadway Street.

NEW BUSINESS:

2019-09 Freeman Meadows Subdivision Time Extension: Planner David Kinney stated that a draft plat for the Freeman Meadows Subdivision has been submitted. However, the storm work that is being designed has a portion which the City will be liable to cover costs for. With the loss of the storm drainage funding from the State of Oregon, the storm design needs to be reviewed to determine whether the City portion will still be included or if a redesign is necessary. Because of this, staff is requesting an extension of one year to allow for a review of the design and to determine what, if anything, can be done to allow the City to move forward with its part of the project.

Mr. Kinney said that he requested that the applicant submit a written request for the extension but one has not come in to date.

Woody Koenig moved, seconded by Debbie Schenck to amend condition #1 to allow for a one year extension to August 31, 2020, for File No. 2019-09. The motion carried, (5:0:1) with David Leach abstaining due to a conflict of interest.

ODOT Safe Routes to School Grant Application: Mr. Kinney advised that the City will be submitting an application for a Safe Routes to School grant this year. The project must be under \$2 Million and elements focused on upgrades to sidewalks which provide a safer walking/biking route to the school campus.

Debbie Schenck moved, seconded by Marge Henning to recommend to the City Council to apply for a Safe Routes to School grant. The motion carried, (6:0).

Safe Drinking Water Fund – Water Main Replacement Project: Mr. Kinney stated that there is a significant leak on SW Ivy Street as well as leaky lines throughout the City. Staff has been working to gather information to apply for a \$2+/- Million loan which may include up to \$400,000 of loan forgiveness and a 1% interest rate. The payments are anticipated to be between \$70,000 and \$80,000 per year.

INFORMATIONAL ITEMS:

City Recorder Report – Mrs. Cook stated that the City’s ordinances have been sent in for codification. The fully codified code will be available via a link on the City’s website once complete.

BUSINESS FROM THE PLANNING COMMISSION: None.

OTHER BUSINESS: None.

The meeting was adjourned at 8:01 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 20th day of October 2020

October 26, 2020

Mill City City Hall
PO Box 256
Mill City, OR 97360

wave

RECEIVED
OCT 29 2020
BY:

RE: WaveDivision Holdings, LLC ("Wave Broadband"); Rate Adjustment Notice

We are providing the following details in compliance with the 30-day advanced notification of an adjustment to rates under the applicable FCC regulations and the requirements of our franchise with the Mill City City Hall. Wave Broadband will be adjusting the retail price of some of its services starting December 1, 2020.

The monthly rates for the following TV services will be adjusted: the Local Broadcast tier of service will increase by \$2.00. The costs associated with this tier helps to maintain the access and transport of cable and broadcast channels across our network. The Local TV Stations' Fee will increase by \$4.07. Local Broadcast stations levy a monthly fee for carriage of their content; this fee helps offset those costs. The Expanded Content channel tier (also known as Basic Cable), and any packages including that service, will increase by \$3.09. Networks included on this tier of service levy a monthly fee for the carriage of their content; this fee helps offset the cost of programming content. All TV equipment will increase by \$1.99.

The monthly rates for the following Internet services will be adjusted: cable modems will increase by \$2.00. The Internet Infrastructure Fee will also increase by \$1.20. This fee helps defray costs associated with the building and maintaining of Wave's fiber rich broadband network, as well as the costs of expanding network capacity to support the continued increase in customers' average broadband consumption; this has been especially crucial this past year as we all work, school, and play at home.

We will also be implementing a 2% Regulatory Recovery Fee on our telephone service. This fee is assessed by Wave to recover the cost of complying with certain federal, state, and/or local impositions related to voice service. It is a monthly charge to defray a portion of the fees paid to support government programs such as Telecommunications Relay Service and Local Number Portability, along with other charges assessed by the FCC, and additional indirect costs associated with administering and complying with government programs.

The rate changes are not a customer tax or a fee assessed by a government agency; they are fees and/or costs Wave assesses and retains. They are exclusive of franchise fees, regulatory fees, and other governmentally imposed charges. Customers will receive detailed information covering the rate changes with their billing statement.

At Wave, we work hard to ensure the communities we serve have access to the fastest and most reliable Internet, TV and phone services. Each and every day, we endeavor to deliver high-quality services at a great value and have always aimed to put our customers first. We will continue to invest in our network to bring customers the latest technologies while enhancing their service experience.

We thank you, as always, for the opportunity to serve your community.

Sincerely,

Jared Sonne
SVP, Operations
Wave Broadband

1101 Creekside Ridge Drive, Suite 270, Roseville, CA 95678

wave