



CITY OF MILL CITY

AGENDA OF THE CITY COUNCIL

October 10, 2023

City Hall

444 S 1st Avenue

Mill City, Oregon

REGULAR SESSION

1. **CALL TO ORDER/FLAG SALUTE** 6:30 p.m. Council President Zeyen-Hall
2. **CITY COUNCIL ROLL CALL/INTRODUCTION OF STAFF** Council President Zeyen-Hall
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 September 26, 2023
- b. Approval of Accounts Payable
- c. Acceptance of Monthly Revenues and Expenditures Report, September, 2023

5. **LINN COUNTY SHERIFF'S REPORT**

6. **PUBLIC WORKS REPORT**

- a. Pump Report
- b. Water Project Update
- c. Other

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

8. **PUBLIC HEARING: None Scheduled.**

9. **PRESENTATIONS: None Scheduled.**

10. **OLD BUSINESS**

- a. Recreational Vehicles as Residences
- b. Miscellaneous Parking Changes
- c. Other

11. **NEW BUSINESS**

- a. Request for Reduction of Water Charges – 716 S 1st Avenue

- b. Other

12. STAFF/COMMISSION REPORTS

- a. City Recorder Report:
 - i. List of On-Going Old Business Items
 - ii. Other
- b. City Attorney's Report:
 - i. Ziply Fiber Franchise
 - ii. Other
- c. Planning Commission Report/Record of Action:
 - i. Minutes of Regular Meeting of February 21, 2023
 - ii. Minutes of Regular Meeting of March 10, 2023
 - iii. Minutes of Regular Meeting of March 27, 2023
 - iv. Minutes of Regular Meeting of July 14, 2023
 - v. Minutes of Regular Meeting of August 11, 2023

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: None.

16. ADJOURNMENT

CALENDAR OF UPCOMING CITY MEETINGS & EVENTS

Friday	October 13, 2023	Planning Commission Meeting	8:30a.m.
Tuesday	October 24, 2023	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Wednesday	November 1, 2023	4 th of July Committee	7:00p.m.
Friday	November 10, 2023	Planning Commission Meeting	8:30a.m.
Tuesday	November 14, 2023	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Thursday	November 23, 2023	THANKSGIVING DAY – CITY HALL CLOSED	
Tuesday	November 28, 2023	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Wednesday	December 6, 2023	4 th of July Committee	7:00p.m.
Friday	December 8, 2023	Planning Commission Meeting	8:30a.m.
Tuesday	December 12, 2023	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Friday	December 22, 2023	CHRISTMAS EVE OBSERVED – CITY HALL CLOSED NOON	
Monday	December 25, 2023	CHRISTMAS DAY – CITY HALL CLOSED	
Tuesday	December 26, 2023	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Monday	January 1, 2024	NEW YEAR'S DAY – CITY HALL CLOSED	

REQUEST FOR COUNCIL ACTION

DATE: October 10, 2023
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 September 26, 2023
- b. Approval of Accounts Payable
- c. Acceptance of Monthly Revenues & Expenditures Report, September 2023

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, September 26, 2023**

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

Citizens in Attendance were Ann Carey, Lynda Harrington, John Heitzman Peter Kailing, Dorothy Keasey, Glen Kent, Roel Lundquist, Donald Mann, Dianne Moore, Brian Nicholas, Marion County Public Works, Peter Olsen, Keller Associates, Gary Olson, Lari Rupp, Marion County Economic Development Dept, Don Strasser, Julie Strasser, Misty Strasser, Gay Stuntzner, and Kelli Weese, Marion County Economic Development Dept.

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 Winn requested that item b; Approval of Accounts Payable, be pulled from the Consent Agenda for discussion.

Councilor Zeyen-Hall moved and was seconded by **Councilor Plotts**, to approve items a; Approval of Minutes of Regular City Council Meeting of August 22, 2023, c; Acceptance of Monthly Revenues and Expenditures Report, August 2023, d; Acceptance of Resignation of Jason Saari From City Council Due to No Longer Residing Within City Limits and Declaring the Position Vacant, e; Ratification of Mayor Kirsch's Appointment of Becky Van Atta to a One (1) Year Term on the Mill City 4th of July Committee, Expiring July 30, 2024, f; Approval of Agreement to Extend Low Income Household Water Assistance (LIHWA) Program Through March 31, 2024, and g; Approval of OLCC Liquor License Application for Eddy's Cheesesteaks, 218 NE Santiam Blvd, Mill City. Mrs. Fredrickson polled the Council. The motion passed unanimously, (4:0).

Councilor Winn requested information on payments to Jacuzzi Bath Remodel, Evergreen Plumbing & Mechanical and Local Government Law Group. Mrs. Cook said that the Jacuzzi Bath was a reimbursement on a permit, Evergreen was to repair a water line and the Local Government Law check should have been pulled as it is a North Santiam Sewer Authority invoice.

Councilor Zeyen-Hall moved and was seconded by **Councilor Plotts** to Approve Item b; Accounts Payable, of the consent agenda. The motion passed unanimously, (4:0).

CITIZEN COMMENTS/QUESTIONS: Dianne Moore and Gay Stuntzner provided a letter to Council requesting a letter of support from the City for their effort to create a welcoming entrance to Mill City on the ODOT owned parcel off of Hwy 22. The requested letter should include reference to potential funding, water access and maintenance.

Mayor Kirsch requested that this item be placed on the next work session agenda for further discussion.

Lynda Harrington stated that she and Dorothy Keasey were in attendance on behalf of the St. Catherine of Sienna Catholic Church to request a reduction in the water bill, which was \$1088.22

this month. Mrs. Harrington explained that a maintenance worker performing landscaping had unintentionally changed the settings of the irrigation system timer, which caused it to run constantly.

Mayor Kirsch stated that he is a church lector but has no financial impact from this decision.

Mayor Kirsch asked if the problem has been fixed. Mrs. Harrington confirmed that it has.

Councilor Zeyen-Hall asked how situations similar to this have been dealt with in the past. Mrs. Cook said that since this item was just presented this evening she is not prepared to answer any questions, noting that a decision can be held until the next meeting without any impact to the account.

PRESENTATION – KELLI WEESE, MARION COUNTY ECONOMIC DEVELOPMENT PROGRAM MANAGER; MARION COUNTY ECONOMIC DEVELOPMENT STRATEGY: Kelle Weese gave a brief presentation on the Marion County Economic Development Program stating that it promotes efforts to grow the economy, increase employment, and improve standard of living. Marion County's portion of video lottery dollars is being used for a number of programs affecting business and workforce as well as infrastructure and economic investments.

Marion County is requesting input from both citizens and local governments to provide feedback for defining and listing economic development project priorities for the Economic Development Strategy.

Lari Rupp, Marion County Economic Development Dept, stated that Congress promised \$15 Million in exchange for the Opal Creek land that was designated Wilderness Area in 1996. On September 21, 2023, it was announced that the full \$15 Million Opal Creek Promise has been funded.

PRESENTATION - PETER OLSEN, KELLER ASSOCIATES, CHRIS EINMO, MARION COUNTY SENIOR PROJECT MANAGER, BRIAN NICHOLAS, MARION COUNTY PUBLIC WORKS DIRECTOR; NORTH SANTIAM CANYON SEWER PROJECT: Peter Olsen gave an update on the status of the North Santiam Sewer Project stating that the design provides for additional treatment and disposal capacity at Mill City's plant for both Mill City and Gates with a future pathway to transition to gravity sewer as tanks need to be replaced.

Mr. Olsen provided a conceptual layout for the proposed plant and Rapid Infiltration Basins (RBI) as well as examples of RBI's and plants in other locations that are similar to what is being considered.

An open house is scheduled for Mill City residents on October 25. Marion County will send a mailer to residents with the open house details.

John Heitzman, SE Fairview St., asked if the pressed solids could be sold after processing. Mr. Olsen said that engineering is not targeting the level of treatment to allow for sale.

Peter Kailing asked if the treatment plant will devalue property. Mayor Kirsch said that there should be minimal impact to property value.

Councilor Winn asked if the new plant will handle the growth that will come once the system is online. Mr. Olsen said that the plant is designed for a 20-year growth model, which includes potential growth in Gates.

Roel Lundquist, SW Linn Blvd., asked if the pump station on N. 1st Ave. will need to be replaced to handle the influent coming from Gates. Mr. Olsen said that the pumps are made to take solids, therefore will not require replacement.

WATERLINE REPLACEMENT PROJECT – PHASE 2 CONTRACT MODIFICATION NO. 02; D&I EXCAVATING: Due to unanticipated delays within the project, as well as contractor caused delays, the waterline replacement project has not been kept on schedule. Contract Modification No. 02 allows for a time extension of 57 days for D&I Excavating to complete the remaining project elements. The contract deadline changes from October 4, 2023 to November 30, 2023.

A letter was sent to D&I Excavating advising that the contract modification would only be recommended for approval if demonstratable evidence that the project construction is proceeding is provided to the city.

City Attorney Jim McGehee said that he is concerned about the additional time and cost the City could incur if the extension is not granted.

Councilor Zeyen-Hall moved and was seconded by **Councilor Plotts**, to Approve Waterline Replacement Project – Phase 2 Contract Modification No. 02. The motion passed unanimously, (4:0).

Mr. Lundquist noted the broken driveway apron at the D&I staging site next to the Quonset Hut on S. 1st Ave. stating that it should be repaired before the contractor completes the project.

KELLER ASSOCIATES – SW 5TH AVENUE OUTFALL AND SRTS PATHWAY TASK ORDER NO. 005: Keller Associates Task Order No. 05 was provided for review. Task Order No. 05 is for consulting services to provide design of a pathway on SW 4th Avenue and stormwater improvements at the SW 5th Avenue outfall. This will include project management, utility locates and base maps, drywell condition assessment, design services, water quality conceptual design, and construction services including contract preparation, meetings, testing and management.

Councilor Plotts moved and was seconded by **Councilor Winn**, to Approve Keller Associates Task Order No. 005 for 5th Avenue Outfall and SRTS Pathway in the Amount of \$237,700. The motion passed unanimously, (4:0).

Councilor Plotts asked where the funds will come from to pay for this task order. Mrs. Cook said that funds will come from the stormwater grant and the SRTS grant.

KELLER ASSOCIATES – STORM DRAINAGE TASK ORDER NO. 003: Keller Associates Task Order No. 003 for Stormwater Master Plan Phase 2 Scope of Work was provided for review. The Scope of Work includes evaluation and recommendations, plan completion and adoption. This includes project management, existing system evaluation via hydrologic and hydraulic model development and model calibration, engineering standards and stormwater programs review (City code, PWDS, Comp Plan, TMDL, O&M), recommendation of projects and programs, utility rate development (monthly fee, SDC), and final plan development and public meetings.

The total cost including a \$10,000 management reserve is \$202,820. This project is funded by the \$2.8 Million grant that the City received from the State of Oregon.

Councilor Winn moved and was seconded by **Councilor Plotts**, to Approve Keller Associates Task Order No. 003 for Stormwater Master Plan Phase 2 in the Amount of \$202,820. The motion passed unanimously, (4:0).

AUDIT RFP: The RFP for audit services was issued in August. The City received one response from Accuity, LLC, the City's current auditor.

The council has several choices for the next step in this process:

- Award audit contract to Accuity, LLC for the 2024/25 FY
- Reject Accuity, LLC proposal and reissue the RFP

- Hold award and set a meeting with Accuity, LLC to discuss any City concerns

Mr. McGehee recommended a meeting with Accuity, LLC, to discuss the City's concerns. If Accuity, LLC is unable to rectify the concerns then reissue the RFP.

Council consensus to set a meeting with Accuity, LLC to discuss concerns.

MISC. CITY RECORDER ITEMS:

Website Update: City Recorder Stacie Cook said that CivicPlus advised that they have had an issue with their online form creator and are still working to convert the City's forms into the online format. There is one more DNS update that has to be done before the site can go live.

Miscellaneous Parking Changes: ODOT has agreed to allow limited parking along N. 1st Ave. adjacent to Hammond Park as well as for the City to paint the curb yellow behind the parking spaces. The ROW permit to complete this work has been submitted to ODOT for approval. Public Works will complete the sign installation and painting once the approval comes through.

Mrs. Cook said that while these changes will hopefully help the parking situation, enforcement will be key.

Mayor Kirsch requested installing signs that state 'no blocking the sidewalk'.

Building Permit Process – E-Permitting: On September 12, 2023 staff participated in a brief training via Zoom for the State of Oregon E-Permitting system. During the training, it was advised that Linn County would be going live with the new system effective Monday, September 18, 2023. The new system will allow contractors to apply for permits themselves.

Staff has received the login information for the new system. However, due to the short notice and limited training, it may take a bit of time to learn how to navigate the online site.

The change to E-Permitting requires that all payments go through Linn County. The City can accept credit/debit payments at the counter but those wishing to use cash or check will need to go to Linn County to pay for permits. Linn County will now send the City a check for its portion of the permit fees.

Justification for Non-Competitive Procurement: Marion County provided the City with the approved Justification for Non-Competitive Procurement on September 12, 2023. With this document in hand, the contract with Keller Associates for engineering services to complete the additional I&I work in the remaining areas of Mill City has been processed.

CITY ATTORNEY REPORT:

The Reid House Property: Mayor Kirsch stated that he, Mrs. Cook and City Planner Dave Kinney met with Francis McGuire and Warren Reid to discuss what to do with the property. Mrs. McGuire and Mr. Reid requested additional time to consider the options. The lack of property maintenance was also discussed. Mayor Kirsch said that he would like to request that Public Works create an ongoing schedule to keep the property maintained. Council consensus to issue directive.

At 8:46 p.m. Mayor Kirsch adjourned into executive session under ORS 192.660(2)(h) to consult with your attorney regarding current or pending litigation that is more likely than not to be filed.

At 9:04 p.m. Mayor Kirsch adjourned executive session and reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 9:05 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 2022						
Month	Gallons Billed Out	Dollars Billed Out	System Pumped	Total Gallons Avail for Sale	Gallons Avail Less Billed	% Unmetered Loss
DEC	3,235,848		5,540,000	5,540,000	2,304,152	41.53%
JAN	3,710,828		5,799,000	5,799,000	2,088,172	36.01%
FEB	3,137,860		5,225,000	5,225,000	2,087,140	39.95%
MAR	2,908,972		5,706,000	5,706,000	2,797,028	49.02%
APR	3,477,452		5,812,000	5,812,000	2,334,548	40.17%
MAY	3,556,740		6,431,000	6,431,000	2,874,260	44.69%
JUNE	3,917,276		6,987,000	6,987,000	3,069,724	43.93%
JULY	6,403,628		10,721,000	10,721,000	4,317,372	40.27%
AUG	9,598,336		10,346,000	10,346,000	747,664	7.23%
SEP	6,696,096		8,373,000	8,373,000	1,676,904	20.03%
OCT	4,734,840		7,039,000	7,039,000	2,304,160	32.73%
NOV	3,306,160		6,145,000	6,145,000	2,838,840	46.20%
DEC	5,339,149		6,394,000	6,394,000	1,054,851	16.50%
TOTALS	60,023,185		90,518,000	90,518,000	30,494,815	33.69%

year 2023						
Month	Gallons Billed Out	Dollars Billed Out	System Pumped	Total Gallons Avail for Sale	Gallons Avail Less Billed	% Unmetered Loss
DEC	5,339,149		6,394,000	6,394,000	1,054,851	16.50%
JAN	3,519,938		6,211,000	6,211,000	2,691,062	43.33%
FEB	3,588,904		5,641,000	5,641,000	2,052,096	36.38%
MAR	2,772,836		6,383,000	6,383,000	3,610,164	56.56%
APR	3,453,516		6,591,000	6,591,000	3,137,484	47.60%
MAY	3,973,376		8,684,000	8,684,000	4,710,624	54.24%
JUNE	6,540,512		9,670,000	9,670,000	3,129,488	32.36%
JULY	8,524,956		11,932,000	11,932,000	3,407,044	28.55%
AUG	9,358,976		11,429,000	11,429,000	2,070,024	18.11%
SEP	5,608,504		7,093,000	7,093,000	1,484,496	20.93%
OCT						
NOV						
DEC						
TOTALS	52,680,667		80,028,000	80,028,000	27,347,333	34.17%

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

Memorandum

Date: October 4, 2023
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: **Old Business for October 10, 2023 Council Meeting**

a. Recreational Vehicles as Residences

We have turned over some of the RVs that seem to be or are confirmed as having people living in them to the City Attorney. Mr. McGehee is working on complaints for each of them to bring them into court.

Requested Action: None. Information Only.

b. Miscellaneous Parking Changes

We have received the approved ROW permit from ODOT. The City is responsible for ordering and installing the signs for limited parking. I have asked for City Clerk Tree Fredrickson to look into sign options for us to order.

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: October 4, 2023
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: **New Business for October 10, 2023 Council Meeting**

a. Request for Reduction of Water Charges – 716 S 1st Avenue

Enclosed are two letters from Lynda Harrington and Dorothy Keasey requesting a reduction of water charges for 716 S 1st Avenue; St. Catherine of Sienna Church, due to two water/sewer bills from October and September totaling \$1491.74.

The letters indicate that water consumption increased because a new lawn maintenance person inadvertently changed the irrigation timer settings to make them run constantly. This issue has since been fixed. The request is for waiver of all charges over the normal summertime usage. With prior incidents such as this the Council has granted a reduction of water charges to the highest consumption in the previous twelve months. For this account that would be 35 units or \$160.62 plus sewer

**Requested Action: Motion to Grant Reduction of Water Charges
for 716 S 1st Avenue to the Highest
Consumption in the Previous Twelve Months
for the August and September 2023 Billings.**

b. Other



Stacie Cook <scook@ci.mill-city.or.us>

St. Catherine of Siena Water Bill

1 message

Lynda Harrington <lyndaharrington1@gmail.com>

Tue, Oct 3, 2023 at 11:53 AM

To: Tim Kirsch <tkirsch@ci.mill-city.or.us>

Cc: Kim Johnson <kjohnson@ci.mill-city.or.us>, Stacie Cook <scook@ci.mill-city.or.us>, Dorothy Keasey <dorothykeasey@gmail.com>

Mr. Mayor & Councillors,

Thank you for the opportunity to address Council at the September 26 meeting regarding the St. Catherine of Siena water bill.

As we have received an additional water bill since that meeting, I would like to update you on the situation and provide you with additional information:

- 1) In July of this year, we hired a new lawn maintenance person;
- 2) Because there were some sprinkler heads needing replacement, we gave him access to the furnace room where our irrigation controller is located;
- 3) In the course of testing the sprinkler heads, we believe that he inadvertently changed the settings so that the sprinklers were running for hours each day;
- 4) As there is no staff onsite, nor is anyone on the property except for 2-3 times per month during services, we were unaware of the problem until we received a water bill in early September for \$1088.22 for the month of August;
- 5) We immediately turned the system off and asked a friend for help in reprogramming the rather complex controller;
- 6) On September 10th, we were successful in reprogramming the controller to the desired run times per zone.

Subsequent to that, we received an additional water bill in the amount of \$403.52 for the month of September.

We ask for the Council's understanding in this matter and calculate (based upon our usual summertime high of \$200 per month) the overage to be in the amount of \$1041.54 for the months of August and September.

We are confident that we have addressed the controller issue and do not anticipate this problem in the future.

Thank you,
Lynda Harrington
St. Catherine of Siena Mission Church

RECEIVED
SEP 26 2023

BY:

26 September 2023

To: Mayor Tim Kirsch & Council

From: Lynda Harrington & Dorothy Keasey

Re: St. Catherine of Siena Water Bill

We received a water bill in the amount of \$1088.22 for service period 8-1 to 8-31 at the service address of 716 S. 1st Avenue. Our highest bill to date in 15 years had been under \$200.00.

Needless to say, I was shocked and immediately called City Hall to inquire as to its accuracy and whether there is a leak. Stacie informed me that Russ checked and no leak was determined.

We turned the system off and began to investigate.

Here is what we believe to have transpired:

- 1) We hired a new lawn maintenance person in July;
- 2) Because there were some sprinkler heads needing replacing, we admitted him to the furnace room where the irrigation controller is located;
- 3) In the course of turning the system on and off to replace the sprinkler heads, I believe that he inadvertently changed the settings so that the system ran for hours each day;
- 4) We were unaware that the system was running for this long because no one is located on the property, and we are only there for two hours a week for church services.

We ask for the Council's understanding and forgiveness in this matter and request that the bill be discounted.

Thank you.

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

Memorandum

Date: October 4, 2023
To: Mayor Kirsch and City Councilors
From: Stacie Cook, MMC, City Recorder
Subject: City Recorder Report for October 10, 2023 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. Personnel Handbook
2. Nuisance Grass Fee Schedule
3. Sewer Maintenance Improvements
4. Security Cameras
5. City Administrator Job Description
6. Sewer Rate Study
7. Sewer SDC Study
8. Additional SDC Implementation (Street, Storm, Parks, etc.)
9. Update Current Fee Schedule
10. Implementation of Missing Fees (Notary, etc.)
11. Engineering RFQ
12. Large Event Use Policy
13. NW Alder Street Slide Area
14. Strategic Plan/Goal Setting
15. City Hall Entry Posts/Cleaning
16. MCGRA Agreement
17. Entry Signs
18. Cedar Creek Bridge
19. The Reid House Property
20. TIGER Grant Update
21. Sewer Upgrades
22. Hazard Mitigation Plan
23. Storm Water Project
24. Mill City Falls – Phase 2
25. SRTS Grant Update
26. Public Property Exclusion & Trespass
27. Skate Feature at Kimmel Park

MILL CITY PLANNING COMMISSION
Meeting of February 21, 2023

Planning Commission members present: Chair Marge Henning, Jim Grimes, Woody Koenig, Dave Leach, Sandy Lyness, Caitlin Purdy and Debbie Schenck.

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

City Council Representatives: None.

Agency/Applicant Representatives: Scott Baughman.

Citizens: Ann Carey, Dennis Gifford, Sandi Hall, Tim Hall, Hiroko Powell, Thomas Powell.

The meeting was called to order at 6:03 p.m. Chair Marge Henning led the pledge of allegiance.

APPROVAL OF MINUTES: *Sandy Lyness moved, seconded by Caitlin Purdy to approve the minutes of February 13, 2023. The motion carried, (7:0).*

PUBLIC COMMENT: None.

PUBLIC HEARING:	File No. 2022-07	Lucas-Baughman Addition Subdivision, a 36-lot Subdivision
	Applicant:	Scott Baughman, SBC Construction/Rex Lucas, Property Owner
	Location:	East end of SW Fairview Street, Mill City
	Assessor's Map #	T9S R3E Section 29, Tax Lot 200

Chair Henning opened the public hearing at 6:06 p.m. with the procedures for the land use hearing. Chair Henning called for any potential conflicts of interest, bias or ex parte contact. Caitlin Purdy stated that she lives on SE Fairview Street, outside of the notice area. Mr. Kinney asked Ms. Purdy if she has any bias or if an unbiased decision may be made. Ms. Purdy said that she has no bias.

City Planner Dave Kinney said that there have been concerns about the capacity of the City's sewer system and the ability to connect additional homes/structures. Over the past few months the City has been completing I&I work and a number of issues were identified. Each of the areas has been repaired. Public Works Supervisor Russ Foltz has been monitoring the flows through the Wall Street Pump Station in the three weeks since the repairs have been completed and determined that there is approximately 20,000 gallons of inflow that has decreased. This is equivalent to approximately 50-60 homes.

APPLICANT'S PRESENTATION: Scott Baughman, applicant said that the proposal is for 36 lots in the first phase of the development. The streets are proposed as 60'-wide. A drainage

swale is planned running north/south which could have a walking path along it for local residents.

A wetlands study was completed which indicates a 30' setback along the river. This makes the four lots along the west edge tight to develop. Mr. Baughman proposed that the street that fronts these lots be reduced to 50'-wide.

The subdivision will include CC&R's.

STAFF REPORT: Mr. Kinney said that the proposed subdivision is just east of the City's WWTF. The City will need to upgrade the WWTF in the near future and there is a potential that the old site could be added to Kimmel Park as open space.

The City will require that a storm detention area be constructed in the subdivision, which has been suggested as a linear area with a pedestrian path alongside. The parcels are between 8,000sq ft and 32,000sq ft, with the river lots being the larger ones.

Tom Powell, Remine Road, asked about the development of Remine Road. Mr. Kinney said that the development will include a portion of Remine Road, which will be fully developed into a City street. The remainder of Remine Road will stay as property owner maintained.

There is an existing City waterline, which will connect to a 12" waterline into the subdivision. Storm drainage improvements will need to anticipate drainage from the subdivision as well as future expansion.

If an approval is granted, the City generally grants three to five years to complete the final plat and public improvements.

Recommended Conditions of Approval include:

1. The Lucas-Baughman Addition Subdivision is approved as shown on attached tentative plans and Exhibit B.
2. Final subdivision plat must be recorded with Linn County by a date to be determined.
 - A. Tracts A & B shall be dedicated to the City.
 - B. A 5' ROW dedication shall be provided on SE Fairview Street.
 - C. Reference any existing City sewer system easements, provide 10'-wide PUE on street frontage boundary for all lots and provide required storm drainage easements on final plat.
 - D. Applicant will provide a copy of proposed CC&R's to City for review and final approval prior to recording the final plat.
 - E. A minimum of 5% of the subdivision site shall be dedicated to the City on final plat or by separate deed prior to or concurrently with recording of the final plat.
3. Developer will install required public improvements prior to recording of final plat or shall provide City a performance bond/guaranty in an amount sufficient to guarantee completion of construction of improvements. City and Developer will enter into a Development Agreement, which will include terms for improvements, timing and amount

- of City reimbursement for SDC eligible water system improvements. Developer shall provide performance bond and warranty bond in amount established by City Engineer.
4. Applicant shall submit final engineering plans for subdivision for review and approval by the City Engineer prior to the City approval of the final plat. Improvements will be designed and installed per City PWDS. Developer will obtain City Type B Construction Permit, Linn County Roads Permit, OHA Plan Approval, DEQ Sanitary Sewer Plan Approval, Erosion Control Permits, Storm Drainage and other regulatory permits.
 5. Construct curbs, gutters, storm drainage and AC pavement improvements, streets shall be named at time of approval. Traffic signs and controls shall be installed.
 6. Street lights shall be installed within subdivision.
 7. Construct 10" and 12" water mains.
 8. Construct sewer main improvements.
 9. Construct storm drainage improvements.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: Tim Hall, SE Remine Road, asked about water service during construction for existing residents. Mr. Kinney said that the developer must keep the existing line during construction and ensure water is available for residents during constructions.

Dennis Gifford, SE Remine Road, asked what will be done to ensure uninterrupted access to residents, service and delivery vehicles during construction. Mr. Baughman said that the existing road will likely be kept open while the new road is being constructed.

Mr. Gifford asked what will be done to ensure large machinery, vehicles and parts/components will not be on private property. Mr. Baughman said that these will not be anywhere around the private properties.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: Mrs. Lyness asked how the street width may affect river lots and keeping buildings from the flood plain. Mr. Baughman said that no buildings will be in the flood plain but obtaining an allowance for the 50'-wide street will help to ensure this.

Mrs. Lyness asked if there will be a different set of CC&R's for the river lots than for the internal lots. Mr. Baughman said that he is not sure.

Dave Leach asked about riparian plants along the river. Mr. Baughman said that there are no plants at this time. He would be amenable to planting trees but wants to keep the view as open as possible for the homeowners.

Ms. Purdy asked if a traffic study is planned. Mr. Baughman said that he is not planning to complete a study. Mr. Kinney said that the average is eight to ten vehicle trips per day, per house. This phase would be an additional 300-350 trips daily. A typical local street should be able to handle 1000+ trips per day.

Debbie Schenck asked about pedestrian safety. Mr. Kinney said that the City is the majority property owner between SE 4th Avenue and the proposed development. If the City redevelops the WWTF site, the Planning Commission should impose street improvements in the conditions.

STAFF SUMMARY: Mr. Kinney asked Mr. Baughman to provide a draft set of CC&R's, a proposal or final detail of the riparian area and a concept layout of the storm drainage area to the Planning Commission for review prior to the hearing continuation. It would also be nice to have an example layout of one of the lots along the river. Mr. Baughman said that he will provide these items.

Mr. Baughman said that he would like to the walking trail along the storm detention connect into a longer trail along City owned properties between Kimmel Park and up to Kingwood Avenue.

CLOSE OF PUBLIC HEARING: Chair Henning continued the public hearing March 27, 2023 at 6:00 p.m., stating that testimony will continue to be accepted.

OTHER BUSINESS: None.

The meeting was adjourned at 7:31 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 10th day of March 2023

MILL CITY PLANNING COMMISSION
Meeting of March 10, 2023

Planning Commission members present: Chair Marge Henning, Woody Koenig, Dave Leach, and Caitlin Purdy.

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

City Council Representatives: None.

Agency/Applicant Representatives: None.

Citizens: None.

The meeting was called to order at 8:43 a.m. Chair Marge Henning led the pledge of allegiance.

APPROVAL OF MINUTES: *Caitlin Purdy moved, seconded by Dave Leach to approve the minutes of February 13, 2023. The motion carried, (7:0).*

PUBLIC COMMENT: None.

PUBLIC HEARING: None Scheduled.

OLD BUSINESS:

Mill City Development Code: Mr. Kinney said that he will be submitting notice to DLCD for the public hearing on the development code. A joint hearing with the Council will be set for May 23, 2023.

Mr. Kinney went through areas of the code that still need information or clarification. These include:

1. Information on development adjacent to the N. Santiam River.
2. Requirement for restroom facilities at kiosks/food trucks.
3. Add marijuana and psilocybin codes into document.
4. Driveway approach – changed to require full paving of drive unless it is a long drive, which can be given a waiver by staff.
5. Sidewalks on turnpike streets are now required unless a waiver is granted by the City Recorder and a non-remonstrance agreement is recorded. Mrs. Cook stated that criteria for a wavier need to be drafted.
6. Significant Vegetation Code. Should significantly sized trees be mandated to be protected? Dave will rewrite to encourage protection instead of mandating with the requirement that trees will be planted in place of any removed.
7. Landscaping for single family dwellings and duplexes. Shall this be required before issuance of C of O? Consensus to require within six months.
8. Street Trees. Shall these be required? Consensus to require.

9. Fences. Implements a height standard for the City.
10. Outdoor Lighting. Language included per Council request.
11. On-Street Parking Credits.
12. Bicycle Parking. Consensus to include.
13. Public Facility Standards needs to be included.
14. Sign Standards
15. Land Use Decision Notice Posting Requirements. Remove from code.
16. Time Extensions. Set firm timeframe for extensions. Consensus of two years total.
17. Variances.
18. Master Plan Developments. Requirements amenities for development; park space, community building, trail, etc. Discuss further with full PC.

NEW BUSINESS:

Annual Report: Mr. Kinney presented the Annual Report for the Planning Commission's activities in 2022. This will need to go to the City Council once approved.

Chair Henning moved, seconded by Caitlin Purdy to approve the 2022 Annual Report. The motion carried, (4:0).

Work Program: Mr. Kinney presented the annual work program to the Planning Commission, which includes:

1. General Planning Services
2. Development Code
3. N. Santiam Canyon Wastewater Facilities Plan – Mill City Sewer Capacity Analysis
4. Storm Drainage Master Plan
5. Safe Routes to School Grant Proposal
6. Comprehensive Plan Update
7. Dangerous & Derelict Building Code Revisions
8. Training
9. Model Flood Plain Ordinance Revisions
10. FEMA – Development Code Revisions to Comply with FEMA/NMFS – Willamette Basin Biological Opinion to Protect Endangered Salmon/Steelhead
11. GIS Maps – Update Address Map

Chair Henning moved, seconded by Caitlin Purdy to send the annual work program to the City Council. The motion carried, (4:0).

Sewer I&I Repair Update: Mr. Kinney stated that the I&I work found a number of areas where infiltration was occurring within the system. These areas have been fixed, hopefully creating additional capacity within the sewer system for future development.

Woody Koenig left the meeting at 10:00 a.m. adjourning the regular meeting.

INFORMATIONAL ITEMS:

City Recorder Report: City Recorder Stacie Cook gave a report on the following items:

1. Mill City Falls – Phase 1
2. Mill City Falls – Phase 2
3. Planning Commission Vacancies

OTHER BUSINESS: None.

The workshop was adjourned at 10:48 a.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 14th day of July 2023

MILL CITY PLANNING COMMISSION
Meeting of March 27, 2023

Planning Commission members present: Chair Marge Henning, Jim Grimes, Woody Koenig, Dave Leach, Sandy Lyness, Caitlin Purdy and Debbie Schenck.

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

City Council Representatives: None.

Agency/Applicant Representatives: Scott Baughman.

Citizens: None.

The meeting was called to order at 6:00 p.m. Chair Marge Henning led the pledge of allegiance.

APPROVAL OF MINUTES: *Chair Henning moved, seconded by Sandy Lyness to approve the minutes of February 21, 2023. The motion carried, (6:0).*

PUBLIC COMMENT: None.

PUBLIC HEARING CONTINUATION: File No. 2022-07

	Lucas-Baughman Addition Subdivision, a 36-lot Subdivision
Applicant:	Scott Baughman, SBC Construction/Rex Lucas, Property Owner
Location:	East end of SW Fairview Street, Mill City
Assessor's Map #	T9S R3E Section 29, Tax Lot 200

Chair Henning opened the public hearing continuation at 6:01 p.m. and called for any potential conflicts of interest, bias or ex parte contact. Being none, Chair Henning called for additional applicant's presentation.

APPLICANT'S PRESENTATION: Scott Baughman, applicant, said that he began drafting CC&R's and found that he will need assistance from an attorney. A very rough draft was presented for review. There will be trees that bloom with different colors along each street on the interior lots.

STAFF REPORT: Mr. Kinney said that he and Mr. Baughman went over a number of items last Friday. These included, dedication of park space and walking trail area from Kimmel Park and connecting to SE Kingwood Avenue as well as property line realignment to keep a straight line.

Mr. Kinney went over minor modifications to the staff report noting that the Conditions of Approval items B and 1D needed a reference to abandon a water main easement if necessary.

Street names will be SE 11th Avenue and SE Remine Road. A condition requiring a traffic control plan that demonstrates maintenance of local access and continuous water service during construction must be submitted. The riparian area, building setback lines are now referenced in the conditions as well.

Conditions of Approval include:

1. The Lucas-Baughman Addition Subdivision is approved as shown on attached tentative plans and Exhibit B. Approval is granted subject to submittal of final engineering plans and City Engineer's approval of construction plans for subdivision by April 15, 2024 and compliance with all conditions of approval. The approval will expire on April 15, 2026 if the plat has not been submitted to the City for final review.
2. Final subdivision plat for Phase 1 must be recorded with Linn County by April 15, 2026.
 - A. Tracts A & B shall be dedicated to the City.
 - B. A 5' ROW dedication shall be provided on SE Fairview Street.
 - C. Reference any existing City sewer system easements, provide 10'-wide PUE on street frontage boundary for all lots and provide required storm drainage easements on final plat.
 - D. Applicant will provide a copy of proposed CC&R's to City for review and final approval prior to recording the final plat.
 - E. A minimum of 5% of the subdivision site shall be dedicated to the City on final plat or by separate deed prior to or concurrently with recording of the final plat.
3. Developer will install required public improvements prior to recording of final plat or shall provide City a performance bond/guaranty in an amount sufficient to guarantee completion of construction of improvements. City and Developer will enter into a Development Agreement, which will include terms for improvements, timing and amount of City reimbursement for SDC eligible water system improvements. Developer shall provide performance bond and warranty bond in amount established by City Engineer.
4. Applicant shall submit final engineering plans for subdivision for review and approval by the City Engineer prior to the City approval of the final plat. Improvements will be designed and installed per City PWDS. Developer will obtain City Type B Construction Permit, Linn County Roads Permit, OHA Plan Approval, DEQ Sanitary Sewer Plan Approval, Erosion Control Permits, Storm Drainage and other regulatory permits.
5. SE Fairview Street (SE Remine Road to subdivision boundary) Construct 28'-wide paved (AC) section with curbs, gutters, storm drainage and AC pavement improvements, streets shall be named at time of approval. SE Remine Road and SE 11th Avenue – Construct 40'-wide streets. Traffic signs and controls shall be installed.
6. Street lights shall be installed within subdivision.
7. Construct 10" and 12" water mains.
8. Construct sewer main improvements.
9. Construct storm drainage improvements.
10. Submit a traffic control plan for approval demonstrating local access to existing homes on SE Remine Road will be maintained throughout construction. Continuously maintain water and utility service to existing homes on SE Remine Road.
11. Submit a proposed park dedication with a minimum area of 5% of the subdivision gross land area.

12. Riparian Area, Building Setback Lines – prepare individual plot plans for lots 11-20 with dimensions and buildable areas with setback line established for each lot, prepare planting plan for planting of native trees along the river edge, in order to re-establish shade cover for review and approval by the Planning Commission, which may be planted prior to the C of O, provide native shrub and grass planting list for the area within 30' of the normal high water mark along the river for inclusion in the CC&Rs.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: None.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: None.

STAFF SUMMARY:

CLOSE OF PUBLIC HEARING: Chair Henning closed the public hearing at 6:38 p.m. and called for deliberation. The planning commission concurred with the changes to the staff report and conditions of approval in the March 21, 2023 version of the staff report. In addition, the Planning Commissioners recommended the completion date for the planting for trees and riparian vegetation on each riverside lot be modified to be completed prior to issuance of a certificate of occupancy for each dwelling.

PLANNING COMMISSION DELIBERATION: *Woody Koenig moved, seconded by Sandy Lyness to approve the subdivision application of Scott Baughman/Rex Lucas and to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission's deliberations and adopt the conditions of approval for File No. 2022-07. The motion carried, (7:0).*

OTHER BUSINESS: None.

The meeting was adjourned at 6:45 p.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 14th day of July 2023

MILL CITY PLANNING COMMISSION
Meeting of July 14, 2023

Planning Commission members present: Chair Marge Henning, Woody Koenig, Dave Leach, Sandy Lyness, Caitlin Purdy and Don Strasser.

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

City Council Representatives: None.

Agency/Applicant Representatives: Eduardo Garcia.

Citizens: None.

The meeting was called to order at 8:30 a.m. Chair Marge Henning led the pledge of allegiance.

APPROVAL OF MINUTES: *Caitlin Purdy moved, seconded by Sandy Lyness to approve the minutes of March 10, 2023. The motion carried, (6:0).*

Sandy Lyness moved, seconded by Caitlin Purdy to approve the minutes of March 27, 2023. The motion carried, (6:0).

ELECTION OF OFFICERS (JULY 2023 TO JUNE 30, 2024): Mr. Kinney suggested that the Marge Henning continue to serve as Chair and City Recorder Stacie Cook, Secretary.

Sandy Lyness moved, seconded by Woody Koenig to elect Marge Henning as Chair. The motion carried, (6:0).

Sandy Lyness moved, seconded by Woody Koenig to elect Caitlin Purdy as Vice Chair. The motion carried, (6:0).

PUBLIC COMMENT: None.

PUBLIC HEARING CONTINUATION: File No. 2023-01

Site Plan Review – Remodel Restaurant Building –
Philly Cheesesteaks

Applicant: Eduardo Garcia

Location: 218 NE Santiam Blvd, Mill City

Assessor's Map # T9S R3E Section 29CB, Tax Lot 2900

Chair Henning opened the public hearing at 9:12 a.m. and called for any potential conflicts of interest, bias or ex parte contact. Being none, Chair Henning called for additional applicant's presentation.

APPLICANT'S PRESENTATION: Eddy Garcia, applicant, said that he plans to reopen the restaurant for Philly Cheesesteaks with a fun, casual, family atmosphere.

Chair Henning asked if all dining will be within the building or if any will be outside. Mr. Garcia said that dining will be inside because the deck is in ill repair.

Sandy Lyness asked if wine and beer will be served. Mr. Garcia said that it is his plan to serve alcohol.

Mr. Kinney asked what the timing is for redoing the exterior. Mr. Garcia said that it will be done this summer before the rain comes.

Mr. Kinney asked if there will be a remodel inside. Mr. Garcia said that there will be cosmetic repairs in the building.

City Recorder Stacie Cook asked if the deck will be removed and the slider door removed. Mr. Garcia said that he will remove the deck and close off the slider. This will provide additional parking for the building.

STAFF REPORT: Mr. Kinney said that the biggest issue for this property has been the conversation back and forth with ODOT regarding parking. ODOT indicated that because this was an existing restaurant in the past and there is no expansion of the building, it does not require improvements along the highway frontage unless the City requires improvements as part of its development code.

Chair Henning said that she would like to see a parking layout for the full property since the deck will be removed. Mr. Kinney said that because Mr. Garcia operates the business next door he can do a shared parking agreement with that property.

Mr. Kinney said that ideally the City would like to see full improvements along the outside edge but the code does not give the City authority to require that it be done.

CONTINUATION OF PUBLIC HEARING: Mr. Kinney said that if the hearing is continued it would be to review the revised parking plan as well as receive an update on the improvements to the building.

Chair Henning continued the hearing to August 11, 2023 at 9:00 a.m.

OLD BUSINESS:

Mill City Development Code – Mr. Kinney said that the code was almost at the hearing process when things got very busy for him and Mrs. Cook so that they were unable to complete the final changes. The goal is to bring the code to the Planning Commission for a hearing in September.

File No. 2022-02 Craft Pour House Site Review – This application was reviewed and approved in 2022. However, the applicant has decided to remodel the existing building instead of demolishing it and building a new one. A new site plan has been provided for Planning Commission review.

The original proposal had a covered outdoor seating area along the west side with food trucks on the north side of the property. The new plan encloses the outdoor seating area to expand the building, extends a canopy area to the north and moves food trucks to the south along with parking and ADA access.

Mr. Kinney said that this is a fairly simple revision and recommended approval of the changes.

Chair Henning moved, seconded by Sandy Lyness to authorize a one-year extension and work with the applicant on the revised site plan. The motion carried, (6:0).

NW Beech St Apartments – Mr. Kinney said that there have been six revisions to the civil plans for the development. One of the conditions of approval was to require a 34-foot wide street along NW 8th Pl. After reviewing the engineering layout, this is very tight next to the adjacent home. City Engineer John Ashley and Public Works Supervisor Russ Foltz are recommending making the street narrower at 32-feet wide to allow for storm lines to be further away from the property line and save some fir trees that are in the area.

Caitlin Purdy moved, seconded by Woody Koenig to modify Condition #7 to approve the reduced street width to between 30 and 32 feet wide. The motion carried, (6:0).

NEW BUSINESS:

*File No. 2023-02 Property Line Adjustment
Applicants: William Semolke & Alice Bickett
Location: 1161 & 1181 SW 2nd Ave, Mill City
Assessor's Map: 093E31AD, Tax Lots 906 and 908*

Mr. Kinney said that the property owners proposed a lot line adjustment to move the existing property line further from the home to meet current code.

Chair Henning moved, seconded by Caitlin Purdy to ratify the City Planner's decision to approve a property line adjustment at 1161/1181 SW 2nd Ave, File No. 2023-02. The motion carried, (6:0).

INFORMATIONAL ITEMS:

City Recorder Report – Mrs. Cook gave a report on the following items:

- Waterline Project – Phase 2
- DEQ Approval – Beech St Apartments
- Old FEMA Trailer Site Planning
- Cedar Creek Bridge
- RVs as Residences

- 4th of July Committee
- Kimmel Park Basketball Court
- National Night Out
- Kimmel Park Property Purchase
- SW Broadway St Lights
- Hammond Park Overlook Rail

Planning Consultant Report – Mr. Kinney gave a report on the following items:

- Sewer Project
- Rail Trail Project
- SRTS Grant
- MC Falls Park – Phase 2

OTHER BUSINESS: None.

The meeting was adjourned at 10:26 a.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 11th day of August 2023

MILL CITY PLANNING COMMISSION
Meeting of August 11, 2023

Planning Commission members present: Chair Marge Henning, Woody Koenig, Dave Leach, Caitlin Purdy and Don Strasser.

Staff in attendance: City Recorder Stacie Cook.

City Council Representatives: None.

Agency/Applicant Representatives: Eduardo Garcia.

Citizens: None.

The meeting was called to order at 8:42 a.m. Chair Marge Henning led the pledge of allegiance.

APPROVAL OF MINUTES: *Chair Henning moved, seconded by Dave Leach to approve the minutes of July 14, 2023. The motion carried, (5:0).*

PUBLIC COMMENT: None.

PUBLIC HEARING CONTINUATION: File No. 2023-01

Site Plan Review – Remodel Restaurant Building –
Philly Cheesesteaks

Applicant: Eduardo Garcia

Location: 218 NE Santiam Blvd, Mill City

Assessor's Map # T9S R3E Section 29CB, Tax Lot 2900

Chair Henning opened the continuation of the public hearing at 8:44 a.m. and called for any potential conflicts of interest, bias or ex parte contact. Being none, Chair Henning called for additional applicant's presentation.

APPLICANT'S PRESENTATION: Eddy Garcia, applicant, said that the parking must be parallel per ODOT requirements. There is room for five spaces in the front and two on the side. Once the deck is removed there should be room for two more. The spaces will be 19x9 feet.

PROPONENT'S TESTIMONY: None.

OPPONENT'S TESTIMONY: None.

GENERAL TESTIMONY: ODOT submitted written comments stating that the property fronts Hwy 22 and the Access Management Plan shows that upon redevelopment the site is to have curb, gutter and sidewalk installed along the entire frontage, with all vehicular access from NE Alder St. The Access Management Plan is not clear on what constitutes redevelopment, however ODOT is of the opinion that interior remodeling is not enough to trigger a full rebuild of the

frontage. ODOT will defer to the City's conditions of approval. If any frontage improvements are required or if the applicant proposes modifications to the frontage then all work needs to follow the design criteria in the Access Management Plan.

QUESTIONS OF CLARIFICATION FROM PLANNING COMMISSION: None.

STAFF SUMMARY: Mrs. Cook stated that the recommended Conditions of Approval include:

1. Site plan dated August 11, 2023 is approved
2. Site plan approval will expire August 31, 2023. A written request for a one-year extension may be made by the applicant.
3. Necessary building permits may be obtained from the City. Final occupancy will not be approved until all building code deficiencies identified by Linn County Building are corrected.
4. Applicant will provide a minimum of 12 parking spaces, including one ADA space and access way to building.

CLOSE OF PUBLIC HEARING: Chair Henning closed the hearing at 9:02 a.m.

PLANNING COMMISSION DELIBERATION: *Chair Henning moved, seconded by Caitlin Purdy to approve the application of Eduardo Garcia to reopen a restaurant at 218 NE Santiam Blvd, and to adopt the findings of fact, conclusions, and recommended conditions of approval for File No. 2023.01. The motion carried, (5:0).*

OLD BUSINESS:

Mill City Development Code – Mrs. Cook said that she and Mr. Kinney have not had an opportunity to continue the review and changes to the zoning code.

Storm Drainage Master Plan – Mrs. Cook said that she and Mr. Kinney have a meeting with Keller Associates next week to discuss the Mill City Falls Park – Phase 2 project and will speak with them about the Storm Drainage project as well. The timeline for the project is getting tight so movement needs to happen immediately.

NEW BUSINESS: None.

INFORMATIONAL ITEMS:

City Recorder Report – Mrs. Cook gave a report on the following items:

- 491 SE Fairview St Duplex – Asbestos Abatement
- RVs as Residences
- Misc. Parking Changes
- Skate Features in Kimmel Park

OTHER BUSINESS: None.

The meeting was adjourned at 9:27 a.m.

Prepared by:

Stacie Cook, MMC City Recorder

Minutes approved by the Planning Commission on the 8th day of September 2023