

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, November 14, 2023**

Council President Janet Zeyen-Hall opened the meeting at 6:30PM with the flag salute. Councilors present were Dawn Plotts and Steve Winn. Mayor Kirsch joined via Zoom. Staff members in attendance were City Recorder Stacie Cook, Public Works Supervisor Russ Foltz, City Clerk Tree Fredrickson and City Attorney Jim McGehee.

Citizens in attendance were Brock Browning, eNRG Kayaking, Ann Carey, Stephen Floyd, The Canyon Weekly, Lt. Brian Hardy, LCSO, Carl Hendriksen, Roel Lundquist, Gary Olson, Don Strasser, Julie Strasser, Misty Strasser, Mike Van Atta, and Katy Waid.

DECLARATIONS OF POTENTIAL CONFLICTS OF INTEREST: Council President Zeyen-Hall 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

Council President Zeyen-Hall stated that items 'd' and 'e' of the consent agenda should read December instead of June.

Councilor Plotts moved and was seconded by **Councilor Winn**, to approve items a; Approval of Minutes of Regular City Council Meeting of October 24, 2023, b; Approval of Accounts Payable, c; Acceptance of Monthly Revenues & Expenditures Report, October 2023, d; Ratification of Mayor Kirsch's Appointment of Misty Strasser to Serve the Remainder of the First Two Years of a Four-Year Term, Expiring December 30, 2026, e; Ratification of Mayor Kirsch's Appointment of Mike Van Atta to Serve the Remainder of a Four-Year Term, Expiring December 30, 2024., f; Authorization of 1/2 -Day Paid Holiday on Friday, December 22, 2023, and g; Authorization of Holiday Bonus of \$50 for Each City Employee. Mrs. Fredrickson polled the council. The motion passed unanimously, (4:0).

SWEARING IN OF NEWLY APPOINTED COUNCIL MEMBERS: City Attorney Jim McGehee gave the oath of office to newly appointed Councilors Misty Strasser and Mike Van Atta. Councilors Strasser and Van Atta took their seats.

Mayor Kirsch left the meeting.

LINN COUNTY SHERIFF'S REPORT: Lt. Brian Hardy gave the LCSO report for October 2023.

Lt. Hardy stated that deputies attended a lock down drill at Santiam Elementary School and that extra patrols were conducted during student drop off and pick up times.

Lt. Hardy said that traffic patrols were conducted on NW River Rd. due to the complaint about speeding. Deputies noted no speeding issues.

PUBLIC WORKS REPORT: Public Works Supervisor, Russ Foltz gave a report on the following:

Pump Report: Mr. Foltz said that the pump report shows higher loss due to flushing new mains which take thousands of gallons of water. This will continue through completion of the water project.

Water Project Update: Mr. Foltz stated that the new S. 1st Ave water main is on-line and the old main abandoned. SE Grove St has been pressure tested and disinfected and is now on-line but

new water meters have not been hooked up yet. The SE 4th Ave main is finished and is ready to be flushed and pressure tested.

Public Works Truck Quotes: Mr. Foltz said that quotes for a new public works truck were almost double in price from 2022. Mrs. Cook suggested getting quotes for other brands, which could include a side-by-side or smaller truck.

Councilor Van Atta asked what the vehicle would be used for. Mr. Foltz said that the truck would be used for watering flowers and hauling lawn equipment.

Councilor Plotts asked if purchasing a new truck will affect buying a street sweeper. Mrs. Cook said that the funds for both come out of the Equipment Reserve Fund.

Council consensus to research other options for a vehicle.

Councilor Zeyen-Hall asked how the sewer plant flows were after the heavy rains. Mr. Foltz said that he does not have flows yet but things seem to be okay.

WWTP DEQ Violations: Mr. Foltz said that the WWTP filter bed was jetted and cleaned. This opened up the lines and seems to have taken care of the ponding issue.

I&I Work: Jetting and TVing of sewer lines has begun, however, work is on hold until a longer camera arrives.

Councilor Winn asked if paving will be done after the water project is completed. Mr. Foltz said that Linn County had stated that they would pave S 1st Ave afterward. However, funds are not available. Linn County will chip seal the road next summer.

CITIZEN COMMENTS AND QUESTIONS: None.

PUBLIC HEARING: None scheduled.

PRESENTATIONS: Sean Tate. Tate Public Affairs; Small Municipalities Advocacy Coalition: Held until next meeting.

OLD BUSINESS:

Request for Reduction of Water Charges: 627 SE Fairview St: Mariah Davis submitted a request on behalf of her father, who is dealing with severe health issues, for a reduction of water/sewer charges for 627 SE Fairview St. Council held a decision until there was an opportunity to speak with staff.

After a fire left the home uninhabitable last year, the water was shut off. However, charges continued to accrue, reaching a balance of \$650.20. Per request of Ms. Davis, the water meter was removed effective October 17, 2023, which ceases charges.

Council President Zeyen-Hall said that she is opposed to granting a waiver of the full bill as the customer had received all invoices but did not act on them.

Councilor Van Atta moved and was seconded by **Councilor Winn**, to Approve Request for Reduction of Water Charges in the Amount of \$140 for 627 SE Fairview St. The motion passed, (4:1) with Councilor Strasser voting nay.

Oregon State Marion Board Facilities Grant – Brock Browning, Santiam River Manager; eNRG Kayaking: Brock Browning, eNRG Kayaking, stated that he is part of the Resilient Headwaters Coalition, which works to revitalize post fire and bring new opportunities to the Santiam Canyon.

Mr. Browning said that the river access at Hammond Park is difficult and unsafe to navigate with any type of watercraft. There is also a need to remove invasive vegetation to allow trees to grow that provide shade for fish. The Oregon State Marine Board has a Facilities Grant that could assist with the cost to complete these projects.

Council President Zeyen-Hall said that she is concerned about taking on another project with all of the others that staff has to manage, asking about the timeline for the application and if matching funds are required. Mr. Browning said that it is an in-kind grant with the next grant cycle beginning in May 2024. The award announcement will be at the end of the 2024 year which provides for a spring 2025 construction window.

Mrs. Cook asked if Mr. Browning would be applying for the grant with the City as a partner or if the City would be the applicant. Mr. Browning stated that the City would be the applicant. Mrs. Cook suggested that a scope of work and cost estimate be provided for review before a decision about the grant is made.

Audit RFP: Mrs. Cook said that she and Mayor Kirsch met with Glen Kearns and Kori Sarrett, Acuity, LLC, last month to discuss auditing services and communication concerns. Staff recommends moving forward with the audit contract award to Acuity, LLC.

The audit proposal is an all-inclusive fee of \$23,500, including single audit services. Should single audit services be unnecessary the fee would reduce by \$4,000.

Councilor Plotts moved and was seconded by **Councilor Winn**, to Award 2023-2024 FY Audit Services Contract to Acuity, LLC. The motion passed unanimously, (5:0).

Marion County ARPA Sewer Grant Update: The request to Marion County to modify the scope of work for the City's \$1 Million ARPA Sewer grant has been approved.

Cedar Creek Bridge Update: Staff is still waiting for a response from FEMA Environmental and Historic Preservation (EHP) on changes to the Cedar Creek Bridge Scope of Work. Considering the length of time that this project has been delayed and the hard deadline of September 15, 2024 for full close out, staff has requested that Kevin Groom, Linn County Senior Engineer, prepare the bid pack to ensure the project is ready to put out to bid upon notification to move forward.

NEW BUSINESS:

Resolution No. 89X(3) – Sole Source; Consolidated Supply Co: Resolution No. 89X(3) outlines authorization for sole source purchasing through Consolidated Supply Co. for any goods and products related to the Automated Meter Reading (AMR) system.

Because new meters must be compatible with the current software, the City must purchase Mueller Water Products components. Consolidated Supply Co. is the sole supplier of Mueller Water Products AMR within Oregon, Washington and Idaho.

Councilor Plotts moved and was seconded by **Councilor Strasser**, to Approve Resolution No. 893 – Sole Source Consolidated Supply Co. The motion passed unanimously, (5:0).

Request for Donation – Mill City Odd Fellows Lodge #144: The Mill City Odd Fellows Lodge #144, sent a letter of request for a donation toward water damage repairs for the lodge. The letter states that painting, roof repairs and various smaller projects have been funded through fundraisers and savings, leaving no funds to cover repair costs for the water damage.

At one time, the City budgeted for requests such as this. However, the practice was stopped by a previous Council.

Councilor Winn stated that the Eagle Lodge request for painting funds was denied previously.

Council consensus to deny request for a donation to the Mill City Odd Fellows Lodge #144.

Civil West Engineering – Amendment #1 to Engineering Contract Per Development Agreement: NE 4th Ave. Street Improvements: The City is working with Civil West Engineering per a development agreement as a Condition of Approval for the Craft PourHouse land use decision.

Amendment #1 modifies the engineering agreement to include a drainage system extension along the east side of NE 4th Ave and onto Hwy 22 on a time and materials basis with costs not to exceed \$7,600.

Councilor Van Atta moved and was seconded by **Councilor Plotts**, to Approve Civil West Engineering Amendment #1 to Engineering Contract for NE 4th Ave.. Street Improvements at a Cost Not to Exceed \$7,600. The motion passed unanimously, (5:0).

Request for Reduction of Water Charges – 715 NW River Rd: A request or a reduction of water charges for 715 NW River Rd was presented for consideration. The request states that a leak was found in the sprinkler system, which has since been fixed. There was a total of 95 units of water used over the last two months, a portion of which has not yet been billed out.

In previous requests, the Council has granted a reduction of water charges to the highest consumption in the previous twelve months which would be 13 units for this property.

Councilor Strasser moved and was seconded by **Councilor Winn**, to Approve Request for Reduction of Water Charges to the Highest Consumption in the Previous Twelve Months for 715 NW River Rd. The motion passed unanimously, (5:0).

D&I Excavating, Inc. Waterline Project Change Order #03 – SE Grove & SE Hazel St: D&I Excavating, Inc Change Order #03 authorizes the additional materials, equipment and labor to complete tie-in work at S 1st Ave and SE Grove St and S 1st Ave and SE Hazel St.

Costs for the additional items are \$2,085.53 and \$2,889.89, respectively. The work was authorized by Public Works Supervisor Russ Foltz and City Engineer John Ashley during the course of the project as the work was required in order to continue moving forward with the project. The total contract modification is \$4,975.42, making the revised contract amount \$1,366,820.18.

Councilor Van Atta asked about sign-off sheets approving the additional work and expense. Mrs. Cook said change order information and a daily time log is provided in the packet. The City Engineer has authority to authorize this work which had to be done in the field to keep the project moving forward, but larger change orders come before Council for approval prior to work commencing.

Councilor Plotts moved and was seconded by **Councilor Winn**, to Approve D&I Excavating, Inc. Waterline Project Change Order #03 n the Amount of \$4,975.42. The motion passed unanimously, (5:0).

Consolidated Supply Co. AMR & Meter Hardware Change Order #01: Consolidated Supply Co Change Order #01 authorizes the purchase of an additional 500 radio-read water meters and meter boxes with lids.

There will be funds remaining in the loan/grant that the City received from BizOR. Failure to use the full amount does not reduce the loan total, rather the grant so it is in the interest of the City to move forward with the additional purchase. Purchasing an additional 500 meters would ensure that every meter in the City is moved to the electronic system.

The total for all items is \$191,085, making the revised contract amount \$322,104.44.

Councilor Strasser moved and was seconded by **Councilor Plotts**, to Approve Consolidated Supply Co. AMR & Meter Hardware Change Order #01 in the Amount of \$191,085.00. The motion passed unanimously, (5:0).

STAFF/COMMISSION REPORTS

City Recorder Report:

List of On-Going Old Business Items - The list of on-going old business items was provided for review.

Councilor Zeyen-Hall asked about the State of Oregon \$2.5M Sewer Grant. Mrs. Cook said that the City received \$2.5M from the state for sewer interim repairs and system upgrade. Unfortunately, DEQ denied the interim repair proposal. The City is seeking authorization for an IGA with Marion County for allocation of funds to be expended for other sewer related projects including installing utility mains, purchasing property for the new plant and/or demolition of the old sewer plant.

Out-of-Office, Vacation; November 27 – December 1, 2023: Mrs. Cook will be out of the office for vacation from November 27 thru December 1, 2023.

City Attorney Report:

Ziply Fiber Franchise – City Attorney Jim McGehee said that he has not moved forward on this as he has been out of the office.

BUSINESS FROM MAYOR & CITY COUNCILORS

Councilor Zeyen-Hall had nothing to report.

Councilor Plotts said that January 9, 2024, is National Law Enforcement Appreciation Day, adding that she would like to do something to recognize Mill City's LEO's. City Attorney McGehee suggested drafting a Proclamation.

Councilor Plotts said that Zach Zinda, Pacific Power, is installing outlets on power poles along S. 1st Ave for Christmas decorations, which will be hung after Thanksgiving.

Councilor Winn said he was pleased to see deputies out on Halloween.

Councilor Winn said that he removed two tree snags from Memorial Wayside Park on Sunday.

EXECUTIVE SESSION: None held.

ADJOURNMENT

The meeting was adjourned at 8:18PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor