

**CITY OF SILVERTON  
CITY COUNCIL MINUTES**

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**Silverton Community Center – Council Chambers – 421 South Water St.**

**March 5, 2018, 7:00 PM**

**I. OPENING CEREMONIES – Call To Order, Pledge Of Allegiance & Roll Call**

Mayor Palmer called the Meeting to order at 7:00 p.m.

<b>Present</b>	<b>Absent</b>	
X	_____	Mayor Kyle Palmer
X	_____	Council President Jason Freilinger
X	_____	Jim Sears
X	_____	Matt Plummer
X	_____	Dana Smith
X	_____	Laurie Carter
X	_____	Rhett Martin

Staff Present:

City Manager, Christy Wurster; Chief of Police, Jeff Fossholm; Public Works Director, Christian Saxe; Community Development Director, Jason Gottgetreu; Administrative Services Director, Dianne Hunt; Finance Director, Kathleen Zaragoza; and City Clerk, Lisa Figueroa

**II. APPROVAL OF MINUTES**

Councilor Carter moved to approve the minutes. Councilor Freilinger seconded the motion.

Councilor Plummer noted he offered to be the City liaison for the Sustainable Silverton group because it was not included in the minutes. Councilor Smith indicated her computer was having problems and asked that a vote be delayed. The Council tabled the minutes to later in the meeting.

**III. OATHS OF OFFICE/PUBLIC RECOGNITION**

Mayor Palmer presented a plaque to Maurice Leach for his service to the City. He provided comments on Mr. Leach's involvement in assisting the City in working with the School District and Wave Broadband to get the Council Chambers updated in order to broadcast Council meetings. Administrative Services Director Dianne Hunt also thanked Mr. Leach for his work.

**IV. PUBLIC COMMENT –**

Chris Kinman commented on behalf of his wife, Lindsay Kinman in regards to a letter she submitted to the City. He presented a copy of the letter to the Council for the record. He indicated they are trying to establish a Birth Center within Silverton however; there is no use category for birth centers in Silverton. He requested the City Council consider adopting the Oregon Department of Health guidelines to permit birthing centers within the City limits.

Benjamin and Elish Blair addressed the Council. They indicated they have been involved in Vexillology, the study of flags. Mr. Blair said they learned the City does not have a flag and indicated it should. They proposed a design with a green background and a blue and white "S" shape representing Silver Creek. Councilor Carter thanked them for their research and the work put into the flag. She indicated she liked the concept of the simple flag with the green background as it relates to the state and the City's mission and vision. She inquired what the next step to translate it into an actual flag would be. Mr. Blair replied he was unsure about the process. Councilor Carter suggested the staff find out how to pursue this. Mayor Palmer indicated in fairness the City should have a public process to allow others to comment or submit their own suggestions. Councilor Plummer indicated he would keep Mr. Blair updated on the process. Councilor Smith and Councilor Carter thanked them for their presentation.

Councilor Smith requested the Council go back to review the minutes. Mayor Palmer reviewed the motion and the second. Councilor Smith commented on the January 22 work session, page two line 12, somewhere near the end of that paragraph she would like it to be noted for the record that it seemed fundamentally unfair for an 800 square-foot cottage near downtown to pay essentially the same total System Development Charges as a 2,500 square-foot house with a three car garage in a remote subdivision. On the February 5 minutes, page six, line 48, Councilor Smith indicated she was "pleasantly" surprised to see Ms. Fuhrman's application. On page seven, line 54, the EMC reached out to the businesses in regards to plastic bags and polystyrene ban as they conduct the other outreach. There was no further discussion and the motion to approve the minutes as amended carried unanimously.

## **V. SCHEDULED PRESENTATIONS –**

### **5.1 Gordon House Report**

Board of Directors President Bruce Brown provided an annual report. He indicated the City owns the house but the conservancy maintains the house. He said they raised \$58,000 from visitors last year. He said tickets are now available to be purchased online and they have held several events which included poetry readings and musical events. He said they rented the facility to an artist from London during the Solar Eclipse and are considering overnight stays in the house as another source of revenue. He expressed gratitude for the City's financial assistance over the last two years and asked if the City could include an additional \$1,500 one-time support to purchase security cameras, exterior lighting, etc. in addition to the \$3,500. Councilor Carter suggested the \$1,500 be made as a grant request through the TOT. Mayor Palmer indicated it could be. Councilor Carter asked when is the deadline for the grant cycle. Community Development Director Jason Gottgetreu indicated the request should be made between May and July for the next fiscal year. The Council considered the request and commented it may be more appropriate to make the request to the Tourism Promotion Committee.

### **5.2 National Fitness Campaign presentation**

Mayor Palmer noted he presented this to the Council several months ago after he was approached by the National Fitness Campaign and the Council asked for more information about the program. Charles Baldwin indicated he worked with the Mayor on this presentation and played a video to the City Council. He provided an outline of the proposal for the record. He stated he spoke with three of the five cities included in the packet and noted those cities have not installed a fitness court in their city. He said currently, there are two courts installed in the United States; one in San Francisco and the other in Grapevine, Texas. He indicated it would cost \$80,000 to purchase the equipment and \$30,000 to install it. He suggested several ways money could be procured, such as through corporate sponsors, Healthy Eating and Active Living (HEAL) Campaign grants or the City's parks and recreation System Development Charges (SDC), etc.

Mr. Baldwin listed three possible sites; 1) Grassy area between the pool and the library 2) The open lot next to Borland gallery in Coolidge-McClaine Park and 3) Grassy area adjacent to the dog park and Judy Schmidt Skate Park.

Mr. Baldwin said some of the costs could be decreased if the court were installed by City staff. He noted it is intended to be an all-weather court and may need to have a cover installed. The Council debated

whether the proposed facility would be used year round, who would use it, and location, etc. Councilor Smith asked if there were only two courts in the United States. Mr. Baldwin replied there are two in this year's program. Councilor Carter indicated she could see it being used six months out of the year, but questioned whether many people would utilize it during the winter and said she did not feel it would be practical for the City. There was discussion about the locations of the courts, such as near high schools to be used by students or near pedestrian and bicycle paths. Mr. Baldwin indicated he does not know the demographics of Silverton well enough to say with certainty whether or not this type of facility would be used. Councilor Carter said a lot of people attend the gyms in the winter and commented the temperature, dampness and other factors may contribute to people not using that type of facility in the winter. Mayor Palmer clarified the SDC fund is limited to creating parks within the City and cannot be used for any other purpose.

### **5.3 Chamber Of Commerce Monthly Report**

Executive Director Stacy Palmer provided the monthly report. She indicated there were 5,052 contacts last month. She listed upcoming events including a meeting on March 14 for non-profit organizations and the Chamber golf tournament on Friday May 11. She said there is a new feature on the website that allows visitors to build their own itinerary when visiting Silverton. She said the forum lunches are now held on a quarterly basis and the flower baskets have been ordered. She said the Chamber Board discussed possible maintenance of the entryway monument signs into Silverton but there are some issues to maintain them such as the lack of nearby water and power sources. She said if the Public Works Department intends to maintain them, the Chamber Board would be able to provide assistance.

The City Council recessed at 8:05 p.m. and reconvened at 8:15 p.m.

## **VI. PUBLIC HEARING**

### **6.1 Ordinance No. 18-04 – Public Hearing to consider an annexation application to annex 685 Schemmel Lane and the adjacent Taxlot 601W34BB 03600 into the City Limits and zone the properties R-1, Single Family Residential with a concurrent Property Line Adjustment request with a Partition request to partition Taxlot 061W34BB 03600 into three parcels**

Mayor Palmer opened the Public Hearing at 8:17 p.m. and asked if any members of the Council wish to abstain or declare any conflicts of interest or ex-parte contacts. Councilor Carter and Councilor Freilinger both indicated they approached members in the audience and learned they were here for this agenda item but stated they do not feel it would impact their ability to make a fair and impartial decision. Mayor Palmer asked if any members of the audience wish to challenge any member of the Council for bias. There were no comments.

Community Development Director Jason Gottgetreu presented the staff report and said the request is to annex 685 Schemmel Lane and the adjacent taxlot into the City limits, zone the properties R-1, Single Family Residential with a concurrent Property Line Adjustment request to shift the common property line to the south by 12' with a Partition Application to partition the taxlot into three parcels with parcel 1 containing 9,028 square feet, parcel two containing 8,800 square feet, and parcel 3 containing 10,356 square feet and parcel 3 designated as a duplex lot. He reviewed the annexation criteria and said public facilities, services, and transportation networks are in place or planned to be provided with the development of the property. He noted the large conifer trees on the western side of the street between two-five feet from the edge of the pavement. He said the Planning Commission was presented with three options; 1) Have the property owners and developer sign a petition for improvement for a Waiver of Remonstrance for frontage improvements 2) Have pedestrian facilities on the western side of the trees in a manner that would not damage the root system of the trees 3) Have the frontage improvements constructed which would require the removal of all the trees, the widening of the street, the curbs, planter strip and sidewalk installed at the time of the development.

Community Development Director Gottgetreu said the Planning Commission considered all options and ultimately recommended the improvements be completed because the City strives to upgrade City

facilities at the time of development. He said the area will meet City standards for any public improvements, is contiguous to the City and is within the Urban Growth Boundary. He said two residents commented at the Planning Commission to save the trees. The Council asked clarification questions in regards to the current location of the trees and the existing sidewalk on Schemmel. Councilor Freilinger asked if the property to the west could be developed in the future. Councilor Carter indicated Schemmel Lane is a dead end and asked if the other property could be accessed from Pine Street. Community Development Director Gottgetreu said minimizing connection points is the goal but the site could be developed without having that street connection or it could follow that previous development pattern. There was discussion in regards to how the trees impact the street. Councilor Smith questioned if there was a practical reason the road to the Sewer Treatment Plant needs to be widened and asked if there is parking on the west side of the street. She inquired if there were Waivers of Remonstrance for that property. Community Development Director Gottgetreu indicated he did not have that information. Councilor Smith questioned whether the existing sidewalk could continue along the frontage of one side of the road and extended all the way down and around the corner. Community Development Director Gottgetreu said he believes there is a 40-foot right-of-way along South Schemmel Lane but the planter strip could be removed if Schemmel Lane were developed. Councilor Smith indicated she does not believe the road would have enough traffic to the point where sidewalks and parking would be needed on both sides. Mayor Palmer said it could be the access point for the whole West Side. Councilor Smith indicated requiring Waivers of Remonstrance would ensure the improvements would be done in the future if there is a need. Community Development Director Gottgetreu explained the process for Waivers of Remonstrance. Councilor Carter commented on the benefits the trees provide to that neighborhood.

Community Development Director Gottgetreu indicated the Planning Commission looked to see what impact the trees had on the street and realized there is some heaving under one of the trees, which was lifting the street a little bit. Councilor Smith questioned whether that tree would be removed. Community Development Director Gottgetreu illustrated where the southern access would be located and where the ripple in the street is located.

Community Development Director Gottgetreu continued through the lot line adjustment application and indicated the line on the northern lot would be moved to the south side of the building to meet setbacks. he indicated the gray line was the proposed pedestrian path. There was discussion on whether a new developer could remove the trees. Community Development Director Gottgetreu said the Council could include a condition to preserve the trees through a development agreement. There was discussion in regards to the impact of lots if Schemmel Lane were developed. Councilor Smith asked if Schemmel Lane could be extended if at some point in the future the next lot over were developed. Community Development Director Gottgetreu said yes.

Community Development Director Gottgetreu said no new streets are proposed as part of this partition and duplexes are permitted on one new lot in new partitions and shall be identified as a duplex lot on the final plat. There was discussion in regards to requirements such as fencing and the maximum allowable height.

#### **Applicant testimony**

Applicant, Tim Punzel said he would like to maintain the integrity of the property. He said the north tree appears to be growing faster than the rest and he plans to remove it so it does not buckle the road. He said he is fine with the Waiver of Remonstrance as he plans on building the duplex and keeping it. Councilor Carter commented on his willingness to work with the neighbors. Councilor Freilinger asked Mr. Punzel if he planned to remove only two trees. Mr. Punzel said yes but he would have someone look at the trees first to determine their health.

#### **Public testimony**

Connie Yoder, 630 Schemmel, commented in favor of the application. She read a letter and provided a copy for the record. She thanked her neighbors for coming and submitted a letter on behalf of her neighbor, Stephen Gorman, 550 Schemmel for the record. She said the trees were one of the reasons they decided to move there and the road is large enough to allow big trucks passage even with cars parked on the street. Councilor Carter thanked her for her comments.

Paul Parmley, 600 Schemmel Lane, supported the application and said they purchased their home because it was not in a subdivision. He indicated they would like to see as much of the trees saved as possible.

Rick Russ, 660 Schemmel Lane, said he would like to see the trees preserved.

Katrina Alrick, 690 Schemmel Lane, commented on the application and thanked the builder for keeping the neighbors in mind.

There were no comments in opposition of the application.

Councilor Smith moved to close the Public Hearing. Councilor Sears seconded the motion and it carried unanimously.

Mayor Palmer closed the Public hearing at 9:15 p.m.

The Council asked for clarification in regards to amending one of the conditions of approval as recommended by the Planning Commission. Community Development Director Gottgetreu indicated the Council can modify the conditions as follows: 1) Condition one would require the applicant to sign a petition for a waiver of remonstrance for street improvements 2) Condition seven would be reinstated to remove the problematic tree for the location of the driveway.

Community Development Director Gottgetreu indicated the conditions are included in the staff report, which is referenced in the ordinance and could be amended before the ordinance is adopted.

Councilor Smith commented on preserving the trees but does not want the City to pay for road repairs at some point in the future. She indicated the fact that someday that land to the west is going to be developed adding more traffic concerns her. Mayor Palmer recalled the trees at Schlador Street were that way when he attended school there. Councilor Smith replied someone will still have to pay for the road repairs. She questioned whether the waiver could be used for street repairs. Community Development Director Gottgetreu said it would be at least a half street improvement, which would include the first 17-feet of pavement measuring in from the curb. Councilor Carter reiterated her comments regarding the benefits of trees. Councilor Sears commented on the City's responsibility to maintain the streets and included it is one of the reasons the City currently has developments with no sidewalks installed. He expressed concern about the City having to fund the improvements in the future because it struggles now to complete projects.

Councilor Carter moved the City retain the trees in the roadway as is and have the applicant sign a petition for a Waiver of Remonstrance guaranteeing the applicant will improve the roadway upon the natural decline or death of the trees in the future. City Manager Wurster indicated the motion did not include the amendment for condition seven. Councilor Carter amended the motion to include the applicant shall coordinate with the Public Works Department to remove the problematic tree along parcel 2 which will then be the location of the driveway to parcel 2. Councilor Freilinger seconded the motion.

Councilor Sears asked for clarification regarding the trigger point to enact the waiver. Community Development Director Gottgetreu recommended the amendment read as, "...sign a Petition for Improvement / Waiver of Remonstrance for roadway improvements..." because then the Council would be able to make a motion to initiate the Local Improvement District for whatever reason the Council deems necessary. The Council discussed the motion. Councilor Carter indicated she could include the applicant would sign a petition for a Waiver of Remonstrance to guarantee they would improve the roadway upon the consent of the City Council. Staff asked for clarification if improving the roadway would include widening the roadway and the addition of sidewalks or just the roadway improvements. Councilor Carter said she would rather retain the trees and require the applicant improve the roadway upon the natural decline or death of the trees in the future. Councilor Smith suggested the improvements comply with standards the Public Works Department has in place at that point in time. Community Development

Director Gottgetreu noted the City typically completes half street improvements with curbs and sidewalks. Mayor Palmer suggested the Council reinstate the original condition, and then in the future, the Council could modify the direction. City Manager Wurster suggested Councilor Carter withdraw her motion. Councilor Carter withdrew the motion. Councilor Freilinger withdrew his second.

Councilor Freilinger moved the applicant would need to sign a waiver of remonstrance and would have similar conditions of approval with the amendment to remove condition one and reinstate condition seven. Councilor Carter seconded the motion. Following discussion, the motion carried six to one. Councilor Sears opposed the motion.

Councilor Carter moved to have the first reading of Ordinance 18-04 by title only. Councilor Freilinger seconded the motion. Following discussion the motion carried unanimously.

City Manager Wurster read Ordinance No. 18-04 by title only.

Councilor Freilinger moved to pass Ordinance No. 18-04 on its first reading. Councilor Carter seconded the motion and it carried unanimously.

Councilor Carter moved to have the second reading of Ordinance No. 18-04 by title only. Councilor Smith seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-04 by title only.

Councilor Freilinger moved to adopt Ordinance No. 18-04 on its second and final reading. Councilor Smith seconded the motion and it carried unanimously.

Mayor Palmer reviewed the appeal procedures. The Council recessed at 9:45 p.m. and reconvened at 9:54 p.m.

## **VII. CONSENT AGENDA**

Mayor Palmer requested to remove Agenda Item 7.4 for discussion.

Councilor Freilinger moved to extend the meeting beyond 10:00 p.m. Councilor Carter seconded the motion and it carried unanimously.

Councilor Sears requested to remove Agenda Item 7.1 for discussion.

Councilor Smith moved to approve the amended Consent Agenda. Councilor Sears seconded the motion and it carried unanimously.

**7.2 Authorize the City Manager to sign a Professional Services Agreement for the pre-design of the Screw Press Dewatering System**

**7.3 Resolution No. 18-08 – A Resolution to Adopt Capital Improvement Plan Update for Water, Sewer, Stormwater, and Street Improvements**

**7.5 Authorize the City Manager to approve additional costs associated with the McClaine Street Sewer CCTV work**

**7.1 Authorize the City Manager to sign an Intergovernmental Agreement with Marion County for Slurry Sealing**

Councilor Sears referenced Section 5.1(c) on Agenda Item 7.1 and asked if the City would provide the public notification and whether staff would conduct inspections as the slurry seal is applied. Senior Engineer John Cramer said he has not been involved in the overlay projects, but indicated the City should

be able to be involved in that process and provide notifications as well. City Manager Wurster indicated Public Works Director Saxe has been meeting with Marion County to tighten the bid specifications to ensure the quality of work. Councilor Sears expressed concern that the agreement does not include City standards above and beyond the County's standards to hold them accountable. City Manager Wurster offered an amendment to Section 5.2(b) as, "...and administer the resulting construction contract as approved by the City of Silverton Public Works."

Councilor Smith moved to approve the authorization as amended. Councilor Carter seconded the motion and it carried unanimously.

#### **7.4 Approval of rental of the Oregon Garden to the Oregon Garden Resort from June 15, 2018 through June 18, 2018 for Brewfest**

Administrative Services Director Dianne Hunt presented the staff report and indicated staff would like clarification from the Oregon Garden in regards to the area that is currently not in the management agreement. Regional Manager, Christine Diacetis provided a map as a handout to the City Council. She said the space they want to use for camping is known as the lower parking lots. She said they feel the City should be aware of their intent to use that area since it is not included in the legal description. She said there will be a separate insurance policy pertaining to the camping use, which will list the City as additionally insured. She said they are trying to rebrand the event to make it a multi-day event. She said tickets are currently on sale minus the camping element. Councilor Carter said none of the lower parking is in the lease right now. She said the City owns all of the property, but only a portion of it is leased to the Oregon Garden Foundation which in turn leases to the Moonstone Management Company. Councilor Smith asked whether a shuttle was planned. Ms. Diacetis said it is not currently scheduled, but pending the approval of the request they could include it. Councilor Smith requested they commit to having a shuttle. Ms. Diacetis said "Yes". Councilor Smith thanked Ms. Diacetis.

Councilor Carter moved to approve the rental of the Oregon Garden to the Oregon Garden Resort from June 15 to June 18 for Brewfest. Councilor Freilinger seconded the motion.

City Manager Wurster clarified the resort has the authority to use the property and the proceeds would go to the Foundation in the form of royalty payments through the admissions, so it would be authorizing the use versus the rental. Following discussion the motion carried unanimously.

### **VIII. DISCUSSION/ACTION ITEMS**

#### **8.1 Public Comment on the demolition/deconstruction of the former Eugene Field School**

City Manager Wurster provided the staff report. She said the Council held a work session on February 26, 2018 to review the building evaluation of the former Eugene Field School dated January 14, 2014, which indicated it would cost \$10.9 million to bring the building back to a level for use by the School District. She said during that discussion the Council determined they would accept public comment at the March and April Council meetings with a decision and direction on how to move forward in the next fiscal year with regard to the existing structure. She noted the City purchased the property with the intent to develop Police Department/Civic Center on the site. She indicated staff has not received any written comments. There were no comments from the public.

#### **8.2 Ordinance No. 18-05 – An ordinance amending Silverton Municipal Code Title 12 to add Chapter 12.55 to regulate use of city property and rights of way**

Administrative Services Director Hunt provided the staff report. She noted the City Council directed staff to bring back a revised fee schedule to include a street closure fee, a banner hanging fee, and increase the alcohol permit fee. She indicated the City Attorney recommended the City draft a Special Event ordinance for the permit. She said Section 3 references Exhibit B, Chapter 12.48.050; Permit for use of designated area would be an additional amendment. She said it was not included in the packet but was placed at their seats before the meeting.

Councilor Freilinger moved to have the first reading of Ordinance No. 18-05 by title only. Councilor Smith seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-05 by title only.

Councilor Freilinger moved to pass Ordinance No. 18-05 on its first reading. Councilor Carter seconded the motion and it carried unanimously.

Councilor Freilinger moved to have the second reading of Ordinance No. 18-05 by title only. Councilor Carter seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-05 by title only.

Councilor Freilinger moved to pass Ordinance No. 18-05 on its second and final reading. Councilor Smith seconded the motion and it carried unanimously.

### **8.3 Resolution No. 18-07 – A Resolution amending the City’s Administrative Fee Schedule**

Administrative Services Director Hunt presented the staff report. She said the resolution will amend the City’s fee schedule. Mayor Palmer indicated he supports the banner fee but believes the First Friday banner should not be charged to the Chamber.

Chamber Executive Director Palmer said it is cost prohibitive to hang it every month and there have been instances where it does not go up so other local events may be advertised. Councilor Freilinger asked if the banner could be the default City banner and hung up whenever the space is empty. Councilor Carter asked about the Veteran’s Day banner and who would pay for it. Mayor Palmer asked if she owned that banner. Councilor Carter replied people were asked to donate to City Hall for it. Councilor Freilinger inquired who asked to put that banner up. Councilor Carter stated she did, but instead of having it paid out of the City budget, they opened it up to donations and that’s how it got paid for. Mayor Palmer suggested the Veteran’s organization take over the banner and fundraises to hang it up. Councilor Freilinger asked if the City holds onto that banner. Councilor Carter said yes and questioned why the City would make the Veterans pay for a banner thanking them for their service. City Manager Wurster noted the Council could pass the resolution excluding the banner hanging fee until staff brings it back with more information.

Councilor Freilinger moved to pass Resolution No. 18-07 and removing the banner hanging fee at this time. Councilor Carter seconded the motion.

Councilor Plummer said he is not sure he can support the delinquent account fee of \$40. It was noted the Council may direct staff to bring that back at a future meeting. Following discussion the motion carried unanimously.

### **8.4 Ordinance No. 18-06 – Amending Silverton Municipal Code Chapter 3.12 Transient Occupancy Tax**

Finance Director Kathleen Zaragoza presented the staff report. She indicated it is a housekeeping change. Councilor Carter asked for clarification in the ordinance where it referred to recordkeeping that every operator shall keep guest records at the location of the hotel in the City and whether electronic records can be kept on computers. Finance Director Zaragoza confirmed in the positive. Mayor Palmer said it is a good change. Councilors Smith and Carter agreed.

Councilor Sears moved to have the first reading of Ordinance No. 18-06 by title only. Councilor Carter seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-06 by title only. Councilor Carter moved to pass Ordinance 18-06 on its first reading. Councilor Smith seconded the motion and it carried unanimously.

Councilor Carter moved to have the second reading of Ordinance 18-06 by title only. Councilor Freilinger seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-06 by title only.

Councilor Carter moved to pass Ordinance 18-06 on its second and final reading. Councilor Freilinger seconded the motion and it carried unanimously.

#### **8.5 Ordinance No. 18-07 – Granting A Non-Exclusive Telecommunications Franchise To Lightspeed Networks, Inc., Declaring An Emergency, And Stating An Effective Date**

Community Development Director Gottgetreu presented the staff report and indicated LS Networks has one customer, which is Silverton High School. He noted there was concern to provide service immediately; hence an emergency clause was included in the ordinance. Councilor Sears asked if the franchise would allow them to provide service to other customers within the City. Councilor Smith stated she asked Andy Bellando about that recently and got the impression they were not planning on doing that. Councilor Sears stated the franchise would allow them to.

Councilor Freilinger moved to have the first reading of Ordinance No. 18-07 by title only. Councilor Sears seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-07 by title only.

Councilor Freilinger moved to pass Ordinance No. 18-07 on its first reading. Councilor Carter seconded the motion and it carried unanimously.

Councilor Freilinger moved to have the second reading of Ordinance No. 18-07 by title only. Councilor Smith seconded the motion and it carried unanimously.

City Manager Wurster read Ordinance No. 18-07 by title only.

Councilor Freilinger moved to adopt Ordinance No. 18-07 on its second and final reading. Councilor Carter seconded the motion and it carried unanimously.

### **IX. APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS**

#### **9.1 Ratify appointment of Karolle Hughes to the Homeless/Housing Task Force**

Mayor Palmer presented the staff report. He indicated because of the timing of the meeting, Ms. Hughes attended the Task Force meeting last week and he asked the Council to ratify the appointment.

Councilor Smith moved to approve the appointment of Karolle Hughes to the Homeless/Housing Task Force. Councilor Freilinger seconded the motion and it carried unanimously.

### **X. COUNCIL DISCUSSION**

#### **10.1 City Manager Update**

City Manager Wurster noted the Silverton dog park is closed beginning today for a park improvement project and there will be a temporary park with an off leash area located at the field adjacent to the Eugene Field Elementary School. She said the project is anticipated to be completed by late September

2018 and information will be shared on the City's website. She noted a letter from Wave Cable was included in the Council packet notifying the City of a rate adjustment.

## **10.2 Council Communications**

Councilor Carter asked about the transition of ScanTV. Administrative Services Director Hunt said ScanTV is getting a live stream server so the sound system will be improved.

Councilor Freilinger mentioned he is excited to see a new broadband provider in town. He said he would like to include a goal to look at new guidelines to increase the number of wireless and/or fiber broadband carriers coming into the City. He asked if the police report could expand on the "other" types calls referenced in the departmental report. Chief of Police Jeff Fossholm said he would work with staff to see if they can provide that information.

Councilor Smith said there was a Task Force meeting last Thursday and prior to that they had not met since November or December. When the Task Force formed the Mayor expressed a desire there would be community groups that would step in during the whole process and take some of the weight so that it did not fall on the City to provide social services. She said there was a group of women that got together and started talking about what could be done in a small kind of pilot project to move forward on a transitional shelter. She said the Vicker from St. Edwards by the hospital was here earlier but left. She said she was here with her whole Board and said the church has land and it has been their mission to address this for some time. And so, all the forces just kind of came to align and a plan was developed to do a really small project that addressed four sleeping pods for single women. She referred to a page in the packet with two 8x16 really basic buildings no electricity and no plumbing making it really easy to get through building code issues and any necessary light could be provided through a battery operated lantern. She described the inside which includes a single bed with storage underneath, a desk and some shelving. She said it is basically a lockable safe place for homeless women to store stuff so they are not spending their entire day figuring out where they are going to sleep that night and they can focus on getting connected with services and transition back into looking for medical services, looking for social services, getting connected with more permanent housing solutions, and all those things that are near impossible to do when all you can think about is where you are going to be that night. She stated she had discussions with Jason about how the City could make something like this work; there was some Code language that the City needs to review, but basically religious institutions are allowed to provide this service already, it's just the physical form that it takes is really rigid, so you can't go this creative low cost somewhat temporary solution in our current Code language. She suggested the Council direct staff to come up with Code language that would allow for this sort of thing. She added in St. Edwards in particular there is a door on the backside of their facility that leads into a hallway where the bathrooms are; so they are talking about installing a second interior door that would lock from the church side, but allow the residents there to access bathrooms directly from the outside. Councilor Smith said they are talking about cleaning out a storage closet, maybe putting in a microwave, a kitchen sink and those sorts of things so the residents would have access to more than just a bed and they could start feeling like they are on their way back to a normal life. She added that the footprint only takes up three parking places in their giant parking lot. She said the location seems ideal in that they have the medical community and hospital right there. She said they learned from people at the warming shelter that the hospital is a default homeless shelter because people go to the emergency room just to have someplace to go. She added the warming shelter people have been working closely with the hospital and there is a bus stop right there in case residents need to get to Salem. She said Safeway is right there for food and there are a number of groups that have kind of coalesced to make this happen and are still working through the plan. Councilor Smith said the first step is to determine if this would be allowed in the Code so that they can provide that service. She said their next step would be to do neighborhood outreach where they go door to door talking to people and then having a follow up meeting to answer questions in the neighborhood. Mayor Palmer indicated the Task Force recommended the City Council ask staff to draft the language. Councilor Carter inquired whether the church has permission to do this. Councilor Smith said yes, the code language is on the back, religious institutions and places of worship may have accessory uses including Sunday school facilities, parking, caretakers housing, one transitional housing unit and group living facilities such as convents, a transitional housing unit is a housing unit for one household where the average length of stay is less than 60 days and there's other definitions about what constitutes a household. But basically four

unrelated people can define a household. Councilor Carter said, "So then what we really need is, is to have the City be able to have tiny houses which would have plumbing and electricity but we don't have any, we don't have any way to do that do we." Councilor Smith said the description of the housing unit is such that it has to be all under a single roof. She said it would constitute an addition on the existing church, which would make it a permanent solution to a temporary problem. Councilor Freiling asked why this is being granted to religious institutions only. Councilor Smith said, "It's a place to start." Councilor Carter said, "Why not expand it then." Councilor Smith said, "Well I think the idea was to not overwhelm the community, we wanted to make it acceptable and, and try it out and see if it would even work. We have what do we hear 30-ish homeless people. I'm not sure what percentage of them are women, but we wanted to work the kinks out in a small way. And then if that works and we can show that it's not a detriment to neighbors and then move on. But I think that the pilot project is a good start rather than jumping in with both feet. The big deal is who has the land." There was a consensus of the Council to direct staff to draft language.

Councilor Plummer said the meeting scheduled last month for the Transportation Advisory Committee was postponed because of inclement weather and will be held on March 22, 2018 starting at 6:00 p.m. Councilor Smith asked whether the meeting would be public. Councilor Plummer said yes.

Mayor Palmer said the warming shelter group is considering becoming a non-profit organization and looking to provide daytime services. He noted the School would prefer to have annual joint work sessions. Councilor Smith inquired whether the Safe Routes to School issue has any reason to get together with them. She stated the Northwest Regional Director had a little sit down today with some people from ODOT, Andy Bellando from the school district and Christy Wurster were there. She said Mr. Baldwin and Representative Rick Lewis arrived as she was leaving. City Manager Wurster indicated in regards to the Safe Routes to School issue, policies are being formulated and the application process will open sometime in September. Councilor Smith asked if City Manager Wurster and Mr. Bellando would figure out what the best projects would be. City Manager Wurster said some of those projects are identified in the Transportation System Plan, but there may be more potential for funding if the City selected projects not located on the state highway. Councilor Smith agreed. Mayor Palmer said the Rotary Club will install the two new inclusive swings at Coolidge-McClaine Park on Saturday, March 31 at 10:00 a.m.

#### **XI. EXECUTIVE SESSION**

There were none scheduled.

#### **XII. ADJOURNMENT**

The Meeting adjourned at 11:16 p.m.

Respectfully Submitted By:

/s/Lisa Figueroa,  
Silverton City Clerk