

**CITY OF SILVERTON
CITY COUNCIL MINUTES**

Silverton Community Center – Council Chambers – 421 South Water St. and Zoom

April 5, 2021 6:00 p.m.

I. OPENING CEREMONIES – Call to Order & Roll Call

Mayor Palmer called the meeting to order at 6:00 p.m. Mayor Palmer and City Clerk Angela Speier attended in the City Council Chambers. The rest of City Council and staff were present through the virtual meeting platform Zoom. Mayor Palmer explained this meeting is being held through Zoom pursuant to House Bill (HB) 4212.

Present	Absent	
<u> X </u>	<u> </u>	Mayor Kyle Palmer
<u> X </u>	<u> </u>	Council President Jason Freilinger
<u> X </u>	<u> </u>	Jim Sears
<u> X </u>	<u> </u>	Jess Miller
<u> X </u>	<u> </u>	Dana Smith
<u> X </u>	<u> </u>	Elvi Cuellar Sutton
<u> X </u>	<u> </u>	Crystal Neideigh

Staff Present:

City Manager Pro Tem, Bob Willoughby; Chief of Police, Jim Anglemier; Community Development Director, Jason Gottgetreu; Finance Director/Deputy City Manager, Kathleen Zaragoza; Public Works Director, Petra Schuetz; City Engineer Bart Stepp; and Assistant to the City Manager/City Clerk, Angela Speier

II. APPROVAL OF MINUTES

Councilor Freilinger made a motion to approve the minutes from the regular meeting held on March 1, 2021 and the special meeting held on March 15, 2021. Councilor Smith seconded the motion. Councilor Smith requested the following statement be added to the March 1, 2021 minutes under the Skate Park discussion “Councilor Smith stated that since our development code requires private projects to underground utilities, overhead should not be a consideration.” The motion was approved as amended unanimously (7-0).

III. OATHS OF OFFICE/PUBLIC RECOGNITION

3.1 Proclamation – Arbor Month

Mayor Palmer read the proclamation and proclaimed the month of April as Arbor Month.

3.2 Proclamation – Child Abuse Awareness Month

Mayor Palmer read the proclamation and proclaimed the month of April as Child Abuse Prevention Month.

IV. PUBLIC COMMENT - None

V. SCHEDULED PRESENTATIONS

5.1 Gordon House Annual Presentation – Carol Caughey

Carol Caughey, Chair of the Gordon House Conservancy Board of Directors presented the Gordon House Annual Presentation. She reviewed the attendance numbers for 2020 and explained their increased presence on social media during the pandemic. She asked the City Council for their continued annual contribution of \$3,500 to be used towards utility bills. She noted a current concern is the clean-up from the ice storm event in February and asked the City to help remove hazardous debris from the property.

Councilor Freilinger asked staff when they will be able to clear the debris from the property. Public Works Director Petra Schuetz said it is on the list.

5.2 Silverton Chamber of Commerce Monthly Update – Stacy Palmer

Stacy Palmer, Executive Director of the Silverton Chamber of Commerce provided their monthly update. The Visitor's Center will reopen this week with limited hours. The Chamber will be installing flower baskets in mid-May and hope to hang them on McClaine Street once the construction is completed. She said the annual Golf Tournament is full and will take place on May 21, 2021. The Chamber is working with a gentleman who created an app called Silverton Quest and is partnering with other agencies to promote it. People will have to purchase the app and will be provided clues to lead them to various landmarks in order to complete their quest. It is scheduled to go live in May. They are applying for a grant for a traveling kiosk that would highlight amenities, events, and attractions in North Marion County. A committee is also working on creating regional itineraries for travel in North Marion County. Chamber members are having a hard time finding workers in order to have adequate staffing levels. Lastly, the Chamber is also helping promote local vaccination clinics.

Councilor Smith asked about the stationary kiosks and if there is a timeline for getting updated information on those. Director Palmer will work with City staff to get updated maps and noted the plastic needs to be cleaned.

VI. PUBLIC HEARINGS

6.1 Ordinance No. 21-01 – Amending the Comprehensive Plan and adopting the 2021 Silverton Water Master Plan as a support document to the Comprehensive Plan

Mayor Palmer opened the public hearing regarding CP-21-01 and Ordinance No. 21-01 a Comprehensive Plan amendment to adopt the 2021 Water Master Plan as a support document to the Silverton Comprehensive Plan to order at 6:34 p.m. No members of City Council wished to abstain or declare a conflict of interest. Community Development Director Jason Gottgetreu provided an overview of the 2021 Water Master Plan which is being updated from the current 2011 plan. He highlighted Silverton's existing and future population projections. He also reviewed the historical water consumption as well as what the future water demands will be and demand by geographic location. Lastly, he reviewed the Capital Improvement Plan and where the proposed projects are located.

There was no public comment. Councilor Freilinger made a motion to close the public hearing. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0). Mayor Palmer closed the public hearing at 6:40 p.m.

Councilor Freilinger made a motion to have the first reading of Ordinance No. 21-01 by title only. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0). City Manager Pro Tem Bob Willoughby read Ordinance No. 21-01 by title only.

Councilor Freilinger made a motion to pass Ordinance No. 21-01 on its first reading. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0).

Councilor Freilinger made a motion to have the second reading of Ordinance No. 21-01 by title only. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously (7-0). City Manager Pro Tem Willoughby provided the second reading Ordinance No. 21-01 by title only.

Councilor Freilinger made a motion to adopt Ordinance No. 21-01 on its second and final reading. Councilor Sears seconded the motion. Councilor Freilinger noted while the City has made good progress he is concerned about fires in the areas where there are still failing situations, as well as areas with low water pressure and recognizes there is still progress to be made. There was no further discussion and the motion passed unanimously (7-0).

VII. DISCUSSION/ACTION ITEMS

7.1 Authorize the City Manager to enter into a contract with Mackenzie for Construction Documents to Construction Contract Administration for the Silverton Civic Center

Director Gottgetreu reviewed the Construction Documents to Construction Contract Administration proposal from Mackenzie Engineering, Inc. He provided an overview of the design progress to-date and noted this would be the next phase of the project. The services included in the proposal are the construction documents, permitting, bid assistance, and the administration of the construction contract. Director Gottgetreu reviewed the cost estimates for each of the services. Councilor Smith asked if the commissioning for mechanical is included in the cost estimate. Director Gottgetreu believes the City paid for those services in a lump sum. He reviewed a number of optional services the City could choose to include in this contract; however, staff is only recommending moving forward with the building technology element. The total contract for these services is \$989,395 which also includes a slight redesign to the locker rooms in the Police Department. This redesign would have a common bank of lockers for both men and women which would free up an extra 400 square feet for future growth. He said these costs fall within the estimated consultant costs for the project.

Councilor Freilinger made a motion to authorize the City Manager to enter into an agreement with Mackenzie for architectural services (in substantial form to AIA Document B101) for the Silverton Civic Center in the amount not to exceed \$989,395. Councilor Cuellar Sutton seconded the motion. Councilor Sears reiterated his concern about the intersection at Front and A Street (near Subway). He said it needs some revamping and he has a number of different options he would like to explore with City Council. He does not want to see the project move too far down the road without further discussion around what could be done there. He is concerned with the merge lane being removed and wanted to know what the best avenue to suggest changes would be. He could bring them back to City Council for consideration or work with the design team. Mayor Palmer asked if City Council were to approve this contract would there still be time to look at reconfiguring the intersection. Director Gottgetreu said Mackenzie did not budget very much for traffic engineering and could see this as a change to the contract in which an amendment would likely be needed.

Councilor Smith suggested leaving this discussion out of this contract and dealing with it at a later date once the Council sees how things are functioning. She is hesitant to make changes and add even more to the contract at this point, because it might cause a delay. She asked if the bus station is included in the engineering proposal and would like to ensure the City does not have any additional charges if the electrical has to be relocated due to PGE informing the designers the electrical has to come off Water Street instead of First Street. This should have been looked into by the professionals and the City should not have to pay for their mistake.

Councilor Sears does not feel this would cause a delay and it should be addressed now. The City will already be doing the curbing and painting in the area with the project and would hate to see the City have to pay twice. This would not be a major change; it could be extending a curb or creating a driveway. He said there are some policy issues about what the City should do with that street, such as changing it to a one-way or closing it.

Councilor Freilinger has concerns about the intersection as well, but does not want to delay the project. He asked if the City Council could work with Public Works and comes up with a solution while Mackenzie

continues to work on other aspects of the contract. Then City Council could go back to Mackenzie with the proposed street design. Director Gottgetreu said Council would need to accomplish this quickly due to the permitting process. He said the intersection is a separate site and would hopefully not impact the parking lot or building progress. Councilor Smith said once the consultants get this approval all the various disciplines will start putting together the construction documents and is concerned about an upcharge for a delay. Councilor Sears said the design work would be pretty insignificant, the delay might come from City Council deciding on how it should be reconfigured which is a policy issue. He would not be comfortable approving a contract tonight if this is not addressed. He does not think ODOT would need to be involved with any changes to fix Front Street. Director Gottgetreu reviewed the current plan for the intersection. Councilor Smith suggested Councilor Sears present his options for the intersection redesign to the design team which would then come up with a preferred option to be presented to City Council.

Councilor Freilinger amended his motion to accept the contract but with the understanding that Councilor Sears will be working with the design team to look at the street and curb configuration at A Street, Water Street and Front Street. Discussion ensued on the most appropriate way for this item to be brought back to City Council in order for it to not hold up the project. Councilor Freilinger amended his second motion to authorize the City Manager to enter into a contract with Mackenzie for construction documents and construction contract administration for the City of Silverton Civic Center with the understanding that Councilor Sears and Councilor Smith will work with the design team on making the final design proposal for the intersection at A, Front, and Water Street and that once they come to a consensus they will present that through the City Manager to Councilors and if there are any objections it will be held over for a vote and if not they can move forward. Councilor Smith seconded the motion. There was no further discussion and the amended motion passed unanimously (7-0).

7.2 Approval to move forward with a RFP to secure an owner's representative for the Civic Center Project

Director Gottgetreu explained this is an updated request for owner's representative services for the Civic Center Project. Previously City Council authorized staff to procure these services in a not to exceed \$50,000 amount. Staff released a RFQ for those services; however, only two firms submitted proposals while other firms said they were not interested due to the scale of the project and length of the construction. Upon an internal review staff would like City Council approval to solicit owner's representative services to be scheduled one day per week during construction plus on-call services. He explained the estimated number of hours would be approximately 830 with an estimated fee range of \$100,000 to \$145,000. This would allow for another layer of construction management. The final contract award would be brought back to City Council for approval.

Councilor Miller made a motion to direct staff to issue a Request for Proposals (RFP) for an owner's representative for the Civic Center project for one day a week during construction plus on-call services. Councilor Freilinger seconded the motion. Councilor Smith asked if the 830 hours was through the CD and construction phases. Director Gottgetreu said this is essentially for 16 months and on call services, the City will be billed for actual hours worked. There was no further discussion and the motion passed unanimously (7-0).

7.3 Appoint a new City Manager and approve a contract

City Manager Pro Tem Bob Willoughby explained staff is asking for a motion to appoint Ronald Chandler as the Silverton City Manager and authorize the Mayor to sign the contract. He explained at the March 15, 2021 meeting the City Council authorized Mayor Palmer and Councilor Freilinger to negotiate a contract with Mr. Chandler. The parties have agreed to the terms listed in the contract located in the packet.

Councilor Sears made a motion to appoint Ronald Chandler as the City Manager effective May 3, 2021. Councilor Smith seconded the motion. Councilor Sears amended his motion to also authorize the Mayor to sign the attached contract. Councilor Smith was agreeable to the amendment and seconded the amended motion. There was no discussion and the motion passed unanimously (7-0).

7.4 Ordinance No. 21-02 – Amending the Silverton Municipal Code Chapter 2.40 to ensure background check language is consistent and comports with procedure

City Manager Pro Tem Willoughby explained this code amendment is to ensure the Silverton Municipal Code complies with current practices and Oregon State Statute in regards to criminal background checks.

Councilor Sears made a motion to have the first reading of Ordinance No. 21-02 by title only. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (7-0). City Manager Pro Tem Willoughby read Ordinance No. 21-02 by title only.

Councilor Sears made a motion to pass Ordinance No. 21-02 on its first reading. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (7-0).

Councilor Sears made a motion to have the second reading of Ordinance No. 21-02 by title only. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0). City Manager Pro Tem Willoughby provided the second reading of Ordinance No. 21-02 by title only.

Councilor Sears made a motion to adopt Ordinance No. 21-02 on its second and final reading. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0).

City Council took a break at 7:39 p.m. and returned to regular session at 7:50 p.m.

7.5 Police Survey Options

Chief of Police Jim Anglemier reviewed the outline for a survey development and a list of sample questions staff plans to discuss with the Diversity, Equity and Inclusion (DEI) Task Force. He explained these questions were developed by reviewing other agency surveys, as well as examples from the University of Oregon, US Department of Justice Community Policing Department, and the International Association of Chiefs of Police. Chief Anglemier asked for City Council feedback on the sample questions. Staff will then take the questions with Council's feedback to the DEI Task Force for their review. He reviewed the methods the survey would be distributed as well as other public outreach tools.

Councilor Sears has reservations about the survey, because many community members have most likely not had much interaction with the Silverton Police Department, so it might prove difficult for them to answer these types of questions. He said a large number of responses might come from people who are disgruntled with the department and is not sure how to address that issue. He feels the proposed questions are good start, but do not cover all the areas raised such as police funding, whether there should be more services, less services or a different type of service, and there were also issues raised around equity. He would like to ensure the Chief would be able to get valuable information and feedback from a survey. Mayor Palmer was perplexed by a number of statements the City Council received regarding the Police Department being overfunded, because their funding does not match tax revenue. He noted those two items are not connected. Councilor Sears asked what the Council intention is with this survey, because it could be a lot of effort and the City might not get the value they would want in order to figure out meaningful changes that could be made with the department. He would also like to keep it as short as possible.

Councilor Freilinger said he could not get a sense of what the survey would tell the City Council. He would prefer a freeform dialogue component as opposed to some of the proposed questions. Councilor Smith said the survey is a little too long. She suggested asking the individuals who were advocating for more police oversight to weigh in through the DEI Task Force. She liked the process outlined in the staff report, but it is important to figure out meaningful questions in order to get candid responses. Councilor Sears suggested looking at it as an educational process which could begin with the DEI Task Force in order to inform them about police policies and programs. It might turn out there is not a need to proceed with a survey. Councilor Freilinger said the process looks good, but the questions should come from the DEI Task Force. Mayor Palmer does not like the idea of scrapping the survey until the Task Force has had a chance to look at the outline, but their feedback could be that a survey is not the right instrument to move forward with. Councilor Smith said if the City Council chooses to move forward with a survey there

needs to be a way to get feedback on specific encounters people have had to which they are basing their opinion on. Mayor Palmer said it would also be helpful to know when those encounters took place. Councilor Freilinger wants to ensure the voices that have not been heard or have been afraid to be heard have an opportunity to provide input on this topic.

7.6 COVID-19 Update

City Manager Pro Tem Willoughby provided an update on the number of COVID-19 cases. He explained the number of cases are increasing and raised concern about a fourth wave and the variants that are being detected. Marion County remains in the High Risk Category and discussed upcoming festivals that could be impacted if the county were to move backwards into Extreme Risk. Councilor Miller asked if there are temporary signage options, encouraging mask wearing, the City could consider for places that generate the closest contact for pedestrians, such as the downtown area and parks. City Manager Pro Tem Willoughby said the City would have more control over parks and can set rules and regulations during special events that require the sponsors to have monitors ensuring state guidelines are being followed.

VIII. CONSENT ITEMS

Councilor Sears made a motion to approve the consent agenda consisting of agenda items 8.1 and 8.2. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (7-0).

8.1 OLCC Liquor License for Magnolia Grill and Catering

8.2 Approval to Award WWTP Gravity Thickener Replacement Project contract to Ben Fackler Construction, Inc.

IX. APPOINTMENTS TO COMMITTEE AND ADVISORY GROUPS

9.1 Resolution No. 21-06 – Creating a Diversity, Equity, and Inclusion Task Force

Mayor Palmer provided a brief history of the Civic Center Equity and Inclusion Task Force. Resolution No. 21-06 formalizes a Diversity, Equity and Inclusion (DEI) Task Force expanding the scope and membership of the Civic Center Equity and Inclusion Task Force. He explained the current members of the Civic Center Equity and Inclusion Task Force will continue to serve on the new DEI Task Force as well as four additional members.

Councilor Freilinger made a motion to appoint Lara Ghio Gaitain, Brianna Wolterman, Taisa Alagoz, and Abbie Hoke to the Diversity, Equity, and Inclusion Task Force for one year terms expiring on April 30, 2022. Councilor Miller seconded the motion. Councilor Freilinger amended his motion to also adopt Resolution No. 21-06 creating the DEI Task Force. Councilor Miller was agreeable and seconded the amended motion. There was no discussion and motion as amended passed unanimously (7-0).

Councilor Freilinger made a motion to appoint Enez Bradford, Orianna Farrell, Micole Olivas-Levya, Joel Autry, and Paul Scoville to the Diversity, Equity, and Inclusion Task Force for two year terms expiring on April 30, 2023. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously (7-0).

9.2 Appointments to the Tourism Promotion Committee

Councilor Smith made a motion to appoint Jane Jones, Cindy Jones, Linda Chatfield, Norman English, Sarah Walling and Kyle Palmer to the Tourism Promotion Committee for terms expiring on April 2, 2024. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (7-0).

X. CITY MANAGER UPDATE

City Manager Pro Tem Willoughby reminded City Councilors to file their statement of economic interest with the Oregon Government Ethics Commission by April 15, 2021. There is an Urban Renewal Agency

(URA) meeting scheduled for 5:50 p.m. prior to the May 3, 2021 Regular City Council meeting. He reviewed the 2021 Budget Committee dates. Lastly, he announced the Chief of Police's City vehicle was totaled when he was driving home from work one evening and it needs to be replaced. He said the target range for a replacement vehicle is \$20,000 or less. If there is no objection from City Council, staff would like to get a used vehicle ordered prior to the next regular meeting. He explained the City did receive \$13,000 from the insurance company to replace the totaled vehicle and the remaining balance would come out of the Police Department budget. The specific details will be brought to City Council for formal approval on May 3, 2021. City Council did not have an objection to moving forward with a purchase.

XI. COUNCIL COMMUNICATIONS

Councilor Sears asked if the City was still on schedule for the completion of McClaine Street. Public Works Director Petra Schuetz said yes, substantial completion will be the end of the month and it should be open to traffic the first of May.

Councilor Miller was very inspired by the community effort to clean up Coolidge-McClaine Park and applauded the community group who led the effort as well as all the individuals who showed up to help. It really gave Public Works the boost they needed to open the park. He said there are number of open positions on the Environmental Management Committee (EMC) and there is some interest from the EMC to take on a transportation advisory role.

Councilor Freilinger said it was heartwarming to see all the volunteers at Coolidge-McClaine Park.

Mayor Palmer thanked the community for their volunteer efforts at the park. He said 94 community members participated and reported over 250 volunteer hours. In addition, he thanked the City's Maintenance Division for their work prior to the clean-up effort and the Silverton Fire District who provided volunteers and equipment to clean the West Bank Trail to Salamander Island.

XII. ADJOURNMENT

Councilor Smith made a motion to adjourn and Mayor Palmer adjourned the meeting at 8:47 p.m.

Respectfully submitted by:

/s/Angela Speier, Assistant to the City Manager/City Clerk