

CITY OF SILVERTON
CITY COUNCIL MINUTES

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

July 17, 2017, 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.

| Present | Absent | |
|-----------------------------------|------------------------------------|---|
| <u> X </u> | <u> </u> | <u>Mayor Kyle Palmer</u> |
| <u> X </u> | <u> </u> | <u>Council President Jason Freilinger</u> |
| <u> X </u> | <u> </u> | <u>Jim Sears</u> |
| <u> </u> | <u> Excused </u> | <u>Matt Plummer</u> |
| <u> X </u> | <u> </u> | <u>Dana Smith</u> |
| <u> X </u> | <u> </u> | <u>Laurie Carter</u> |
| <u> X </u> | <u> </u> | <u>Rhett Martin</u> |

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; Water Quality Division Supervisor Steve Starner; and City Clerk, Lisa Figueroa

II. APPROVAL OF MINUTES

Councilor Carter moved to approve the minutes from the Regular Meeting held June 5, 2017. Councilor Freilinger seconded the motion.

There was an amendment to Line 33 of Page 10 to indicate there was no support by the Council to participate in the Paris Climate Accord due to a three to three vote on the issue. Following discussion the motion to approve the minutes carried as follows:

- Aye: Jim Sears
 Dana Smith
 Kyle Palmer
 Laurie Carter
 Jason Freilinger
 Rhett Martin
Absent: Matt Plummer

Councilor Smith moved to approve the minutes from the Work Session held March 13, 2017, and the Special Meeting held March 13, 2017 as presented. Councilor Martin seconded the motion and it carried as follows:

- Aye: Jim Sears
 Matt Plummer

Dana Smith
Kyle Palmer
Jason Freilinger
Rhett Martin
Absent: Matt Plummer
Abstain: Laurie Carter

III. OATHS OF OFFICE/PUBLIC RECOGNITION

There were none scheduled.

IV. PUBLIC COMMENT –

Victor Madge, commended the Council and staff for the improvements done to the roads.

Mike McKee, commented on the traffic speeds on Pine Street. He said cars are constantly speeding through the neighborhood and there is only one speed limit sign. He asked the City to consider adding more speed limit signs on Pine Street.

V. SCHEDULED PRESENTATIONS –

5.1 Chamber Of Commerce Annual Report

Executive Director, Stacy Palmer presented the annual report to the Council. She noted the report reviews the 2016-2017 year and said the Chamber received 8,982 total contacts either by phone, e-mail, or in person. She said the Chamber maintains a calendar of events for the general public on the website. She said the Chamber maintains the Silverton in Bloom baskets, assists with the Christmas Tree lighting, and they decorate Town Square Park during the holidays. She said the Chamber provides group walking tours to promote traffic in Silverton. She indicated they hosted a tour last year for the League of Oregon Cities, and it was the number one tour. She indicated it costs about \$46,000 to operate the Visitors Center and said the Chamber used approximately \$11,000 of the Chamber's funds to assist in the operation of the Visitors Center.

5.2 Presentation on Downtown Historical Plaque placements

Victor Madge, President of the Silverton Historical Society provided a presentation to the Council. He said there are two plaques currently in place at two corners of Main Street. He indicated the Historical Society wants to highlight Silverton history to the public. He said the pedestal will have a photo of the landmark that used to be there. He said he is working with staff to find other suitable locations downtown. He said they plan to have 25 locations and listed some locations such as Mac's Place and Eugene Field. He stated the City of Mt. Angel heard of the program and would like to emulate it for their Heritage Trail. Public Works Director, Christian Saxe, indicated the Council does not need to approve the locations, but staff wanted to provide the information to the Council.

VI. PUBLIC HEARING – None Scheduled

There were none scheduled.

VII. CONSENT AGENDA

Councilor Carter moved to approve the Consent Agenda, which included Agenda Items 7.1, 7.2, and 7.3. Councilor Sears seconded the motion and it carried as follows:

Aye: Jim Sears
Dana Smith
Kyle Palmer

Laurie Carter
Jason Freilinger
Rhett Martin
Absent: Matt Plummer

7.1 Purchase Award – Authorize Sole Source purchase of water meters

7.2 Approval of 2017-2018 Biosolids Land Application contract extension

7.3 Grant Awards – Silverton Tourism Promotion Committee grant recommendations.

VIII. DISCUSSION/ACTION ITEMS

8.1 2016 Biosolids Dewatering Evaluation

Public Works Director Saxe presented the staff report. He referenced a cost analysis of the different mechanisms by Keller and Associates, which was provided in the packet. Water Quality Division Supervisor Steve Starnier said the City would need a new biosolids management plan approved by the Department of Environmental Quality. Public Works Director Saxe said the upgrade could recuperate the expenses within ten years. The Council reviewed the information and asked clarification questions.

Councilor Carter moved to approve the recommendations included in the December, 2016 Biosolids Dewatering Evaluation prepared by Keller and Associates, and authorize staff to proceed with a competitive procurement process for a Class B screw press dewatering project at the Silverton Wastewater Treatment Plant. Councilor Smith seconded the motion and it carried as follows:

Aye: Jim Sears
Dana Smith
Kyle Palmer
Laurie Carter
Jason Freilinger
Rhett Martin
Absent: Matt Plummer

8.2 Resolution No. 17-29 – A resolution of the Silverton City Council adopting the updates to the City of Silverton addendum to the Marion County Multi-Jurisdictional Hazard Mitigation Plan

Administrative Services Director, (ASD) Dianne Hunt presented the staff report. She said the proposed amendment pertains to Silverton's portion within the Marion County Hazard Mitigation Plan and includes a list of hazards. She said the City would work with citizens, local nonprofits and other organizations once the plan moves forward. She indicated the plan would allow the City to submit grant requests to the Federal Emergency Management Agency to address some of the listed hazards. She said all three volumes will be available on the City website.

Councilor Freilinger moved to approve Resolution No. 17-29, A Resolution Of The Silverton City Council Adopting The Updates To The City Of Silverton Addendum To The Marion County Multi-Jurisdictional Hazard Mitigation Plan. Councilor Smith seconded the motion and it carried as follows:

Aye: Jim Sears
Dana Smith
Kyle Palmer
Laurie Carter
Jason Freilinger
Rhett Martin
Absent: Matt Plummer

8.3 Resolution No. 17-30 – A Resolution submitting a five-year local tax for Swimming Pool operation and maintenance

Public Works Director Saxe presented the staff report and indicated the current levy was approved by the voters in 2013 for \$275,000 annually for five years for total revenue of \$1,375,000. He said the levy provided for the maintenance and operation of the pool and is set to expire in June 2018. He said the Parks and Recreation Task Force committee met and recommends the Council submit another ballot title to the voters to renew the levy. He indicated a recent structural assessment indicated the structure is sound.

Councilor Carter moved to approve Resolution No. 17-30, A Resolution Of The Silverton City Council Submitting To The Voters Of Silverton A Five-Year Local Option Tax Renewal To Provide Swimming Pool Operations & Maintenance Costs. Councilor Sears seconded the motion and it carried as follows:

Aye: Jim Sears
Dana Smith
Kyle Palmer
Laurie Carter
Jason Freilinger
Rhett Martin
Absent: Matt Plummer

The Council adjourned the Meeting for a short break at 8:09 p.m. and reconvened at 8:15 p.m.

8.4 Discussion and approval of a Purchase and Sale Agreement with the Silver Falls School District 410 N. Water Street, Silverton, OR (Eugene Field) for the construction of a new Police Facility and Civic Center

City Manager, Christy Wurster presented the staff report. She said staff recommends approval of the Purchase and Sale Agreement (agreement) for the Eugene Field site, which encompasses five parcels. She said the Council would also ratify \$25,000 of earnest money to file with AmeriTitle in Silverton. She said the purchase price is \$1 million dollars. She said staff has started to order some of the required documents such as the preliminary title report. She indicated the title report will go before the Council at the next Regular Meeting upon approval of the agreement.

Councilor Sears asked for additional information regarding the hazardous waste component. City Manager Wurster said the agreement includes a 60-day due diligence period, which would allow the City to conduct several environmental assessments, such as a hazardous materials building survey as part of Phase 1. She said based on those preliminary assessments, the City may move into Phase 2 to see what potential hazards may be on site; as the reports come in the City will seek bids from contractors to see how to abate those materials from the facility. She said staff will also assess the building and make recommendations to the Council. She said the City demonstrated it would pay up to \$400,000 to abate those materials, but if the costs exceed \$400,000 then the agreement may have to be terminated; the school would have to pay for the additional improvements; or the City and the school would have to agree how those additional costs would be addressed. She said the packet includes two letters from the public in regards to the issue and since then staff received nine additional letters, which will be included in the official record.

Mayor Palmer stated the City started this process over a year ago and summarized the history. He opened the floor for public comments.

Resident Greg Sheesley said he supports the agreement. He said he hopes the location would house the police and civic facilities in the future. He requested the Council consider saving the various legacy trees on the property.

Resident, Rick Bittner said he is in favor of the agreement. He recommended the Council look into the future as they design the building so that they do not outgrow the facility in the near future. He said he is not concerned with the hazardous waste. He said he believes it is critical for the facility to be in the downtown area.

Resident, Ann Altman agreed with the previous comments and said it is vital to have the facility in the downtown area.

Resident, Barbara Rivoli supported the agreement. She asked the Council to consider creative ways to include the community. She said she would purchase a stone with her name to place on the building.

Councilor Sears moved to approve the Purchase and Sale Agreement with the Silver Falls School District for the acquisition of real property located at 410 North Water Street which includes five parcels comprised of approximately 3.46 acres, and ratifying the City Manager's signature on the contract and issuance of \$25,000 earnest money. Councilor Carter seconded the motion and it carried as follows:

Aye: Jim Sears
Dana Smith
Kyle Palmer
Laurie Carter
Jason Freilinger
Rhett Martin
Absent: Matt Plummer

8.5 Report on Mass Gathering Permit

ASD Hunt provided a report to the Council. She said of seven other municipalities only one has an outdoor mass gathering permit with a fee of \$150, which is paid by the business community. She reviewed the City's special events permit process. She said staff is seeking direction from the City Council on the following questions:

1. Should the City require a fee for mass gathering events? If so, in what amount?
2. Will the fee apply to mass gatherings only within City parks or will it apply to other City-owned properties?
3. Will the fee apply to events held on private property?

The Council reviewed the information. Mayor Palmer indicated the Homer Days Festival predates any formal process, but if a new festival were to be setup, then the City should have a process in place. Councilor Sears said he feels a permit should be required even for private events for the safety of the community because it would take staff time to review each permit.

City Manager Wurster noted the legislature recently passed a recreational immunity law which may impact the City's liability if fees were imposed. The Council debated whether events on private properties should be required to pay a fee. Several Councilors recommended imposing a threshold of 500 people for triggering a special event. The Council questioned whether staff has dealt with large private events. Chief of Police Fossholm said no but would like to be prepared.

Resident, Steve Springer said he would rather see the City be prepared if an event were to get out of control. The Council requested staff bring back information for review.

8.6 Report on options for controlling deer within the City limits

Chief of Police Fossholm presented a report addressing SB373 for controlling deer within the City limits. He said if the City moves forward, the City must declare deer are a public nuisance and pass an ordinance that prohibits feeding them. Mayor Palmer indicated he feels the City should prepare an

ordinance to prohibit feeding deer. There was a consensus of the Council to direct staff to bring back an ordinance in regards to feeding deer.

8.7 Environmental Management Committee policy recommendations

Councilor Smith indicated the Committee discussed issues such as commercial composting, smoking in the downtown core and banning single use plastic bags. She said they invited the business community to the March meeting to discuss commercial composting and prohibiting plastic bags. She said the business owners were concerned about banning Styrofoam or plastic bags because of the large inventory they had.

Public Works Director Saxe said the Committee discussed whether the contract with Republic Services could be modified to address commercial composting and food waste. He said he listed the items individually so the Council could review and provide direction on each item. Councilors Sears, Carter, Martin and Freilinger support the items. City Manager Wurster asked if the Council plans to designate smoking areas in the downtown core in areas such as alleyways or parking lots. The Council discussed whether they would designate smoking areas.

Resident, Barbara Springer commented on the discussion. She said she walks around town often and said the front of the Town House is unattractive because they leave cigarette butts all over the sidewalk. The Council indicated they would like to see proposed ordinances on the following four topics:

- 1) The potential ban on smoking in the City's parks.
- 2) The potential ban on smoking on the City's downtown core sidewalks.
- 3) The potential ban on the use of Styrofoam food containers by food purveyors.
- 4) The potential ban on the use of "single use" plastic bags by retailers.

IX. APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS

There were no appointments scheduled.

X. COUNCIL DISCUSSION

10.1 City Manager Update

City Manager Wurster listed upcoming events and issues:

- Map Your Neighborhood meeting on Thursday, July 20 in the City Council Chambers
- The Police Department and Fire Departments will host a table with safety information at the Homer Davenport Days Festival and City Councilors are invited to sign up for a shift
- Marion County will have a public hearing on August 1, 2017 to allow Accessory Dwelling Units in certain Urban Transition Zoning within the County
- The City received two notices from Wave Cable; one indicated there will be a transfer to Radiant Communications, which will need approval by the Council and the second letter indicated there will be a basic cable rate increase of \$1.96 per month as of August 1
- She said the City is recruiting for a Police Clerk, a seasonal Parks and Recreation Worker, a Building/Zoning Inspector and a Police Officer
- The City is currently recruiting for a volunteer on the Environmental Management Committee

10.2 Council Communications

Councilor Martin congratulated the Chief of Police on his 30th anniversary with the City. He thanked Silverton Rotary for sponsoring him to go to the Rotary Youth Leadership Conference. He said it was a great experience.

Councilor Carter asked the Council if they would consider purchasing another speed reader board. Public Works Director Saxe said he is currently pursuing grants to fund signs with an attached speed reader. After further discussion, the Council requested staff bring back options for a radar reader board.

Councilor Freilinger said the Urban Renewal Advisory Committee would like to submit a budget request to the Urban Renewal Agency for funds to conduct downtown revitalization studies.

Councilor Smith asked about the status of the mosaic fountain. Public Works Director Saxe indicated there were issues of water discharged into the creek. Councilor Martin said there is still quite a bit of work to be done. Councilor Smith noted there is a light out near the creek behind the library and Silver creek.

Councilor Sears asked if there would be an event once the lights on the downtown trees are installed. The Council discussed having an event during first Friday and inviting the Tourism Promotion Committee.

Mayor Palmer indicated the bulletin board is up and posting of yard sale signs in other locations is prohibited. He said Councilor Plummer approached him in regards to the Bicycle Alliance Committee serving as a City appointed Transportation Advisory Committee. The Council was open to his recommendation. He noted an e-mail sent out to the Council about an outdoor fitness gym and suggested the City consider it. He said a match of \$45,000 would be needed. Mayor Palmer indicated he could proceed with preliminary research and bring back information to the Council in a future meeting.

XI. EXECUTIVE SESSION

There were none scheduled.

XII. ADJOURNMENT

The Meeting adjourned at 10:15 p.m.

Respectfully Submitted By:

/s/Lisa Figueroa, City Clerk