

IV. PUBLIC COMMENT

Dodie Brockamp, 414 Whittier Street. Ms. Brockamp extended a special invitation to City Council for the Senior Center's Annual Fundraising Event called Rockin' Casino. The event will be taking place on May 4, 2019 at the Senior Center.

V. SCHEDULED PRESENTATIONS

5.1 Silverton Chamber of Commerce Monthly Update – Stacy Palmer

Stacy Palmer, Silverton Chamber of Commerce Executive Director distributed her monthly report. She reviewed the points of contact and new members. The Chamber is doing extensive updates to their website and looking into where the visitors on their site are from. She reminded Council that the Annual Chamber Classic Golf Tournament will be taking place on Friday, May 10, 2019. She said the flower baskets will go up the week of the Pet Parade. In closing, she provided a list of organizations that received grants through Judy's Party.

VI. PUBLIC HEARING – None Scheduled

VII. CONSENT AGENDA

Councilor Smith made a motion to accept the Consent Agenda consisting of agenda items 7.1, 7.4, 7.5, 7.6, and 7.9. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously.

7.1 Resolution No. 19-09 – Increasing the appropriation authority related to legal costs

7.4 Resolution No. 19-12 – Setting compensation for FY 2019-2020 as a result of the Compensation Study

7.5 OLCC Liquor License Application (New Outlet/Owner) Limited On-Premises Sales for Nightingale Ventures, LLC dba: Live Local Café

7.6 Revised Utility Assistance Program (UAP) Agreement

7.9 Backhoe for Maintenance Division

7.2 Resolution No. 19-10 – Initiating the withdrawal of 1355 South Water Street from the city limits of Silverton

Don Kelley, 110 N. 2nd Street. Mr. Kelley spoke for his client Rose Hope. He explained that Ms. Hope had requested to be annexed into the city limits in order to gain access to City sewer so she could add on to her home. The cost to hook into the sewer system is approximately \$75,000 which is cost prohibitive. She has located an alternative septic system that will be less costly to install on her property and will allow her to add on to her home. Since she is not allowed to install a septic system inside the city limits she is requesting to be de-annexed.

Councilor Freilinger made a motion to approve Resolution No. 19-10 to initiate the withdrawal of 1355 South Water Street from the city limits of Silverton. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously.

7.3 Resolution No. 19-11 – Adopting the City Council Goals for fiscal year 2019-2020

Councilor Freilinger asked that this item be pulled in order to discuss the concerns regarding Western Avenue and Grant Street. Since the goal setting meeting staff has met with Marion County who has indicated that they have no plans to improve these roads in the next ten years, which he feels is unacceptable. He is wondering if taking over jurisdiction of those streets should be added to the FY 2019-2020 Council Goals. Mayor Palmer said that he shares Councilor Freilinger's concerns, but feels that objective 3.4 under goal 3 is closely related to this project. City Manager Christy Wurster explained that when staff met with the Marion County Public Works Director he indicated this project is not on their current ten year Capital Improvement Plan (CIP), but that doesn't mean that they can't change out a project for this project. They did indicate that the street does require a full street reconstruction, but they are looking for solutions that could be implemented in the short term.

Councilor Sears explained the process of jurisdictional transfers when he was the Marion County Public Works Director. He said that it would be in the county's best interest to transfer the street over, so there might be a way for them to come up with money without it being listed on their CIP. He suggested adding working with Marion County on a jurisdictional transfer to the Council Issue Tracker for staff to pursue and not make it a council goal. Councilor Sears requested that City Public Works staff analyze Grant and Western Avenue to assess the pavement condition index is and provide a cost estimate.

Councilor Freilinger said that he raised the question because he wants to see Council take action. There was Council support to add this project on the Council Tracker for staff to continue pursuing. Councilor Freilinger made a motion to approve Resolution No. 19-11 adopting the City Council Goals for FY 2019-2020. Councilor Sears seconded the motion. There was no further discussion and the motion passed unanimously.

7.8 Community Pool Slope Stability Improvements

Public Works Director Petra Schuetz explained that these are the results from the Slope Stability Study which provides a cost estimate of \$150,000 for the project. She indicated that staff has learned since this report was released that the cost is likely to be more expensive than the \$150,000 estimate. The original budget when the pool levy was passed was \$50,000. Since the project cost is so much higher staff is looking for Council feedback on this project. Councilor Sears asked where the money would come from if Council decides to move ahead with this project. Director Schuetz said there is enough money in the levy to support the project, but it would take away from other budgeted projects. Director Schuetz indicated that staff needs to further scope the identified projects as well. Further she explained the study identified two alternative methods to complete this project and the cost difference between the two methods needs to be further explored. The site constraints and permitting process also needs to be factored into the cost. City Manager Wurster directed Council to the original budget that was presented to the Parks and Recreation Task Force in 2017 to establish the rate of the levy. This lists the projects identified to be funded through the levy and their cost estimates. Council decided to table this item until staff can further refine the pool projects needed and cost estimates.

7.7 Community Pool Energy Efficient Capital Improvements

Councilor Smith indicated she is reluctant to support funding infrastructure equipment until Council has resolved the bank issue. She is supportive of projects that help make the pool more energy efficient. Councilor Smith made a motion to approve budgeting for the installation of an inner canvas to the existing tent and thermostat to the modine heater (Measure EEM 2) and to replace the supply and exhaust fan v-belts with synchronous drive belts (Measure EEM 3). Councilor Freilinger seconded the motion. There was no further discussion and the motion passed unanimously.

VIII. DISCUSSION/ACTION ITEMS

8.1 Ordinance No. 19-04 – Amending Silverton Municipal Code Chapter 13.04 to update code language regarding delinquent utility accounts

Assistant to the City Manager/City Clerk, Angela Speier and Finance Director Kathleen Zaragoza explained that Ordinance No. 19-04 amends the Silverton Municipal Code to remove language regarding when late fees are assessed on delinquent accounts and the monthly interest charge of 1.5 percent on accounts that are not paid by the last day of the month. Those items are now included in the proposed Administrative Fee Schedule. Director Zaragoza indicated that staff revamped the utility code last year, but this chapter was an item that was missed at that time.

Councilor Smith asked what an after-hours fee is. Director Zaragoza explained that is when a customer has been shut-off and calls the on-call phone after regular business hours to get their water turned back on. This fee will cover that cost. It could also apply to a new customer who needs their water turned on after hours or on the weekend.

Councilor Sears moved to have the first reading of Ordinance No. 19-04, by title only. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously. City Manager Wurster read Ordinance No. 19-04 by title only.

Councilor Freilinger moved to pass Ordinance No. 19-04, on its first reading. Councilor Sears seconded the motion. Councilor Smith asked if the notice of past due bills should be 10 business days instead of 10 days. She feels that with holidays that 10 days could be too short notice for a customer to react and would like to see the word 'business' added into the code language in Chapter 13.04.220, Section B. 1. She made a motion to amend the Ordinance to read business days. Councilor Freilinger seconded the motion. There was no further discussion and the motion passed unanimously. Question was called for Councilor Freilinger's motion to pass Ordinance No. 19-04, on its first reading. There was no further discussion and the motion passed unanimously.

Councilor Sears moved to have the second reading of Ordinance No. 19-04, by title only. Councilor Smith seconded the motion. There was no further discussion and the motion passed unanimously. City Manager Wurster read Ordinance No. 19-04 by title only.

Councilor Freilinger moved to adopt Ordinance No. 19-04 as amended, on its second and final reading. Councilor Sears seconded the motion. There was no further discussion and the motion passed unanimously.

8.2 Resolution No. 19-13 – Amending the City's Administrative Fee Schedule

Ms. Speier explained that Resolution No. 19-13 amends the Administrative Fee Schedule to include fees related to public records requests, lien searches, and correctable violations which were previously governed by separate resolutions. Staff has also removed the Zoning Review Fee and the Unexplained High Usage Adjustment Fee. She indicated the staff report lists the fees that staff is asking to be adjusted.

Councilor Freilinger made a motion to adopt Resolution No. 19-13 amending the City's Administrative Fee Schedule. Councilor Sears seconded the motion. There was no further discussion and the motion passed unanimously.

8.3 Resolution No. 19-14 – Updating the City's Public Records Request Procedures and incorporating changes in accordance with Oregon Revised Statute 192

Ms. Speier explained that the Oregon State Legislature approved Senate Bill 481 which set strict deadlines for cities to respond to public records requests. Resolution No. 19-14 modifies the City's procedures to reflect the change in state law.

Councilor Freilinger made a motion to adopt Resolution No. 19-14 updating the City's Public Records Request Procedures and incorporating changes in accordance with Oregon Revised Statute (ORS) 192. Councilor Smith seconded the motion. There was no further discussion and the motion passed unanimously.

8.4 Resolution No. 19-15 – Amending the Fee Schedule for Parking

Ms. Speier explained that Resolution No. 19-15 combines three separate resolutions which currently govern parking into one schedule. It also modifies the fees for day use parking passes and annual parking passes at Silverton Marine Park. These fees have not been changed since 2011.

Councilor Freilinger made a motion to adopt Resolution No. 19-15 amending the Fee Schedule for Parking. Councilor Sears seconded the motion. There was no further discussion and the motion passed unanimously.

8.5 Resolution No. 19-16 – Adopting Standards for Fees for Small Wireless Facilities

Community Development Director Jason Gottgetreu explained that this resolution would adopt standards and fees for small wireless facilities located in the City right of way (ROW). The Council had a work session to review the potential standards and this resolution includes comments that were received from Council at that time. The City sent the standards to the wireless community for comment and those comments were forwarded to the Council. The comments received from the wireless community indicated that some of the standards that the City is looking to adopt fall outside of the guidelines of what cities can impose under the FCC orders. The City Attorney has reviewed the comments and indicated that some of

the concerns might have merit. The carriers have asked to meet with staff and work together to amend the standards, but the standards implemented by the FCC go into effect on April 15, 2019. The City Attorney recommends City Council adopt Resolution No. 19-16 as is and then staff can work with the wireless carriers to address the outstanding issues and bring back a revised resolution for City Council approval at a future meeting.

Steve Coon, 19950 NW Tanasbourne Drive, Hillsboro. Mr. Coon represents Verizon Wireless and indicated his support for Director Gottgetreu's timeline moving forward and would like to work with staff on modifications to the standards. He explained Verizon's concerns regarding the dimensional standards being unworkable in the current language. He explained that the spacing requirement of 300 feet applies to dense urban areas and Silverton would likely not need them as close together. An additional concern with the standard is that the FCC did not limit the number of antennas, so by doing so the City would be in violation federal law. This would prohibit the deployment of 5G and inhibit the ability to add 4G capacity to the network. In closing, he looks forward to working with staff to come up with durable standards.

Councilor Freilinger made a motion to approve Resolution No. 19-16 adopting standards and fees for small wireless facilities. Councilor Sears seconded the motion. There was no further discussion and the motion passed unanimously.

IX. APPOINTMENTS TO COMMITTEE AND ADVISORY GROUPS – None Scheduled

X. CITY MANAGER UPDATE

City Manager Wurster was notified by a property owner last week who resides above the reservoir of a potential mineral rights transfer. The property owner received a notification from the Department of State Lands (DSL). The notification indicated that there was a request to purchase mineral rights from a rock quarry in the area. Staff is looking into the history and understands that there was a former land transfer in that area to accommodate the quarry. The City will be responding to DSL with comments that are due April 2, 2019. The comments will address concerns regarding a satisfactory sediment and erosion control plan and ensure that there would be no impacts to the City's water quality.

The Parks and Recreation Task Force will be meeting to discuss the possible formation of a Parks and Recreation District. The two meetings have been scheduled for April 16, 2019 and May 29, 2019. The City has agreed to extend the contract with Portland State to June 30, 2019. She explained that it is a lengthy process to get on the ballot, so it will not be possible to make the November 2019 ballot. If it gets extended to the May 2020 ballot there would be no cost to the City for the election.

She requested feedback from Council on the redesign of the Overlook/Old Mill Park Improvements and how much should be budgeted for that in the upcoming fiscal year. Staff is estimating that the project could cost approximately \$50,000. Mayor Palmer said there are not enough areas overlooking the creek in town and would like to see it developed, but is wary of spending \$50,000 to do so.

City Manager Wurster reminded Council that the deadline to file their SEI with the Oregon Government Ethics Commission is April 15, 2019. She asked if Council would like staff to include funds to conduct a City survey in the upcoming budget. Discussion ensued and Council decided that it is a valuable tool to gain guidance and is supportive of it. They would like to see an electronic survey with fewer questions that are more targeted.

Lastly, staff would like to move forward with having the demolition contractor hydro seed Eugene Field Commons for a cost of \$3,000. City staff can water the grass with a portable watering unit throughout the summer. The paved area would be open for parking and public events. Council was agreeable to this solution as an interim use of the property.

XI. COUNCIL COMMUNICATIONS

Councilor Freilinger asked for confirmation that staff will add the Grant Street and Western Avenue acquisition onto the Council Tracker. City Manager Wurster noted that it is currently listed.

Councilor Smith provided an update on the Environmental Management Committee and their work with Sustainable Silverton. They are also working with the High School to recommend an individual to fill the student position once the current member graduates in June. Councilor Smith has completed the Master Recycler Class with Marion County and will be attending the Oregon Green School Summit at the Oregon Garden. Lastly, she will be working with Garten Services and Republic Services on a recycling challenge on the day of the Pet Parade. The plan is to have the video serve as a PSA and be posted on the City website.

Councilor Sears reminded Council about the new parking area that is being developed by the School District for Silverton High School. Currently in the south lot, located on the south side of the gate of the High School there are 280 parking spots. On the north side there are 148 spots for a total of 428. The parking lot that they are proposing is gravel and is going to be about 124 parking places, representing a 30 percent increase in the overall parking at the High School and almost doubling the number of parking spaces to the north. He is concerned that once they open that up to students it is going to create a difficult situation for that area. He asked staff what criteria was imposed on the School District and if the City can require the gate be closed. He said he would like to see the City do something that will help minimize the impact to the neighborhoods in that area. Director Gottgetreu explained the gate from the north parking lot to the south parking lot is something that the City can have the School District close in order for them to stay consistent with their second land use approval in 2009. Council would like to see the City move ahead with asking them to close the gate. Councilor Sears expressed his concern with the decision at the March 18, 2019 Work Session to move away from the two eight foot paths on McClaine Street and instead build an eight foot path on one side of the street and a five foot path on the other. He said that he is concerned with the safety of pedestrians and bicyclists using one path. He would like to see City Council rethink that idea especially because of the City's bike friendly designation. He said there is sufficient right of way to allow for a five foot bike lane and a five foot sidewalk on both sides. Lastly, the Transportation System Plan (TSP) calls for bicycle lanes on McClaine from Main to C Street. Discussion ensued about this idea and why Council felt the greenway was an important safety and traffic calming measure. Councilor Sears said the overarching issue is the current plan for final engineering of McClaine Street conflicts with the current TSP. The TSP layouts a network of connectivity for biking throughout Silverton and he would like to see the Council honor that plan since it has gone through a public process. He would like to revisit this discussion prior to awarding the final design.

Mayor Palmer gave staff kudos regarding the cleanliness of the Eugene Field site. He reminded Council that he will be absent from the May meeting. He is working with the Silverton High School staff to explore the idea of a daytime Town Hall prior to the end of the school year.

XII. ADJOURNMENT

Councilor Freilinger made a motion to adjourn the meeting and Mayor Palmer adjourned the meeting at 9:02 p.m.

Respectfully submitted by:

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