

**CITY OF SILVERTON  
CITY COUNCIL REGULAR MEETING MINUTES**

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**Silverton High School Library and Zoom Web Conference Platform**

**April 4, 2022 6:30 p.m.**

**I. OPENING CEREMONIES – Call to Order, Pledge of Allegiance & Roll Call**

Mayor Palmer called the meeting to order at 6:30 p.m. The City Council and staff were present both in person and through the virtual meeting platform Zoom. Mayor Palmer explained this meeting is being held in a hybrid format, pursuant to House Bill 2560 and City of Silverton Resolution 22-06, adopted March 7, 2022.

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

**Staff Present:**

City Manager, Ron Chandler; Public Works Director, Travis Sperle; Police Chief, Jim Anglemier; Deputy City Manager/Finance Director, Kathleen Zaragoza; Community Development Director, Jason Gottgetreu; Assistant to the City Manager/HR Coordinator, Simone Stewart; Assistant to the City Manager/City Clerk, Traci Nichols.

**II. APPROVAL OF MINUTES**

Councilor Freilinger moved to approve minutes from the 2-28-2022 Joint Work Session. Councilor Sutton seconded. Councilor Smith had a couple of corrections, starting on page 4 of 196 (in the agenda packet), under subheading 2.2 – Development Code Review, she wanted to make note that she did have a comment: “While I understand the desire for clear and objective language, our world is full of grey areas where judgment is necessary, and trying to define every possibility for the Development Code is unrealistic.” Councilor Smith stated that, further down, it talks about fencing standards on reserve frontage lot-it should be reverse frontage lot. Councilor Freilinger moved to approve March 7, 2022 Regular Meeting Minutes. Seconded by Councilor Sutton. Councilor Neideigh abstained as she was not present. Councilor Freilinger moved to approve 3-21-2022 Work Session Minutes. Councilor Neideigh seconded. No further discussion. Councilor Sutton abstained, as she was not present. Motion passed.

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

Mayor Palmer read a proclamation, declaring April as Child Abuse Prevention month. Mayor Palmer read a second proclamation, declaring April as Arbor Month. Mayor Palmer read a third

proclamation, declaring April 22, 2022 as Earth Day.

**IV. PUBLIC COMMENT**

No public comment received at this time.

**V. SCHEDULED PRESENTATIONS**

**5.1 – Silverton Chamber Monthly Report** - Executive Director Stacy Palmer addressed the Council with her monthly report. She indicated an uptick in visitor stats, representing 9 states and 10 Oregon cities. She stated there were 2 new members: Township Health, and Tree Climbing at Silver Falls. The Silverton business group meets Wednesdays at 8am at Silver Falls Brewery. Speakers are scheduled now that they're closer to their normal operation. April 6<sup>th</sup> is Luke Simms from Silverton Tattoo, April 13<sup>th</sup> is Daniel from Edward Jones, April 20<sup>th</sup> is Ben Johnston who is doing construction and renovation on the old bakery and the Den, and April 27<sup>th</sup> will be Doug Hartley. New things the Chamber is doing: Marketing in Portland area-they are working with a company to have community guides at the visitor center at PDX and the visitor center in downtown Portland. Chamber is looking to hang flower baskets in mid-May. They would like to hang banners also, and are hoping for installation of brackets and poles by the City. Golf tournament is coming on May 20<sup>th</sup>, and they are still looking for sponsors. The Chamber has been working on marketing ideas for First Friday. April 16 is Earth Day at the Oregon Garden, the solar fair is from 3-5pm, and May 21<sup>st</sup> is the pet parade.

**VI. DISCUSSION/ACTION**

**6.1 – Silver Creek Overlook Project** - City Manager Ron Chandler spoke on this subject. Budget for this project is \$40K. Bids came in, and low bid was over \$48K. The matter is now being brought before Council for direction. If the bid was awarded, this funding would need to come out of City contingencies and park fee funds. There is sufficient funding to cover this. If Council chooses to reject the bids, the project can either be postponed, rebid as-is, redesigned again to try and find a way to reduce costs, OR the staff can look at doing the project through in-house options. Public Works Director Travis Sperle discussed those in-house options: he looked at the original project from 2018, and asked the engineering department to assess the project, and see where costs could be cut. Several items were eliminated from the project as a cost-cutting measure, but the drainage plan will need to be done--there are a lot of drainage issues there. Invasive vegetation will be removed and replaced with proper plantings, and a fence would be installed. He said that if the bid was accepted, \$11,000 would need to be found to make the deficit. Councilor Sears said he was unclear if staff could do the same project in-house. PW Director Sperle said yes, but it would take longer due to other duties to perform. He said that staff could handle the project, save the fence installation. Councilor Sears thought it would be more beneficial to do in-house. He also thought that if the project was over a certain amount, it had to be done by an outside agency. PW Director Sperle said that if project was over \$50K, the City would have to pay prevailing wage. Councilor Smith said that everyone was short-handed, and wondered if it was realistic for Public Works staff to take on. PW Director Sperle said that the project would be done in sections. He said it would be a challenge, but they could get it done if they had to. Councilor Smith thought this was a great option. Mayor Palmer said he thought it was a great idea, and it invests people more in the project. He feels more invested in the project, having staff involved. Councilor Freilinger moved that the project be done in-house, with parts that staff feels necessary out of house, and that we do not accept the previous bids. Councilor Sutton seconded. Motion passed.

**6.2 – All Abilities Park** - Silverton Rotary President (and Silverton Community Development Director) Jason Gottgetreu presented information regarding this project. The general location for this project is north of the pool parking lot, between the parking lot and the visitor center. The potential footprint for the park is in the 40x60' range. The proposal is for an all-abilities park, which is a space that is inclusive and would include those with different physical, cognitive and sensory needs. This park looks like a regular park, but there are design elements that make it accessible. Rotary President Gottgetreu presented to Council the design elements, and asked for an endorsement of the location. He also requested a general commitment to the funding, which includes City Public Works crews providing some of the initial preparation services, 2/3 of the cost of the park (1/3 from Parks SDCs and 1/3 from the Urban Renewal funds). The remainder would come from fundraising through Rotary Club, which is about \$127,000. Mayor Palmer spoke on the subject, explaining that the Rotary prefers

to work in these types of spaces because they know the impact it has in the community. He mentioned that not only are these for recreation, there are strength-building opportunities as well that there might not be opportunity for elsewhere. Councilor Smith wanted to know if this was a permeable surface. President Gottgetreu said it was a rubberized surface. Councilor Smith also wanted to know if this could be configured, so as not to impact the trees that survived the ice storm. Mayor Palmer indicated that the existing trees had been taken into account, for a number of reasons. He thought the park layout would be canted slightly from what had been shown in the presentation. He also said the park would be a Rotary build, with volunteers if there was interest. Councilor Smith was interested in the time frame; Mayor Palmer said that it was determinate on what Council decision was, and the budget, but he felt the sooner, the better. Councilor Sutton wanted to add that she'd had a lot of feedback from community members who were excited, and thought this was a necessary project. She feels this is a perfect spot for the park. She also added that the park floor was permeable. Councilor Freilinger spoke, reiterating that the floor was permeable (semi-permeable), that the design is clockwise, and the play structure is closest to the sidewalk. He said that a lot of the [Rotary] Satellite Club would like to see it this summer, but that depends. Councilor Neideigh loved the design, and wondered if there would be a pathway all the way around the playground, or if there would just be a path to the playground. She also thought some benches would be a good idea. Councilor Sutton said that there was no plan to have sidewalk around it, but there would be an easy way from parking lot to the park. With regard to benches, that is part of their fundraising/community involvement – as is water filling stations, and a temporary, wheelchair-accessible restroom facility. Councilor Freilinger said that on the sidewalk issue, they talked about an additional line that runs between the library and pool that would connect – and one to the parking lot. He addressed sidewalk around the structure – and that the designer (Martha) had said generally they do not put concrete around these structures, because it increases the possibility for injury. Councilor Smith asked how temporary the temporary restroom would be. Mayor Palmer fielded this question, indicating everyone would like to have a drop-in restroom facility as in Coolidge McClaine park. He doesn't think it's going to happen immediately, because the expense of the park would preclude the ability to build a restroom immediately. Councilor Miller brought up that there was a bathroom behind the Historical Society, though he doesn't know if it's accessible or not. Stacy Palmer said there was at least one larger, possibly accessible, restroom stall in the ladies room. She did not know if this was up to code or not. Those restrooms aren't open year-round now due to past issues. She thought the restrooms *could* be open year round. Mayor Palmer said that instead of park rules, Rotary was interested in using the Four-Way Test as the rules. He also mentioned that the Rotary was interested in extending the fence that is along the creek for reasons of safety. City Manager Chandler addressed procedure and funding for the park. The proposal was that 1/3 of the funds would come from the City, and 1/3 would come from Urban Renewal funds. He said that if Council wanted to use Urban Renewal funds, they would have to wait for an Urban Renewal meeting to do so. Councilor Freilinger pointed out this park was within the Urban Renewal boundaries. He said he had checked with 8 companies regarding bids for the park, and narrowed it down to 2. They liked the designer and design from this particular company, and decided on that. He is hoping to get an agreement on the location and concept, and what can be done on the SDC portion of the funding – and refer the rest to the Urban Renewal Agency. Councilor Smith suggested extending the fencing further, and thought that this fencing project and the Silver Creek overlook fencing should be done at the same time. Mayor Palmer recognized Councilor Sutton for her part in this project *before* she was on Council, during the Rotary visioning talks in 2019. He wanted to recognize Councilor Freilinger, who did a considerable amount of legwork on this project. Mayor Palmer mentioned that this project had been an exciting process for a number of Rotarians. Councilor Freilinger moved to have the City of Silverton and the Silverton Rotary Club explore partnering together for the location discussed (between the library and the pool) for an all abilities park, using park SDCs and [City] capital funding, and refer the Urban Renewal portion of the funds to the Urban Renewal Agency for consideration, and to direct Staff to strive to accomplish this [all abilities park] in the next fiscal year – and if not that, the year after that. Councilor Sutton seconded. Motion passed.

**\*\* Council took a break from 7:53 to 8:05 \*\***

**6.3 – Water Conservation Education Program –** City Manager Ron Chandler spoke,

mentioning the Resolution that Council had adopted, implementing the City's Water Curtailment program. Staff was directed to develop an educational program to work in relation to water curtailment. He explained that Staff had developed a 12-week program, entitled "Silverton Saves". This is a way of providing tips and encouragement and means whereby citizens can voluntarily save water. The EPA WaterSense promotional partnership is potentially a part of this, which gives a lot of resources, access and promotions the City normally wouldn't have. He indicated that he was coming before Council for support in application to the EPA for partnership in their WaterSense program. Councilor Smith asked if there would be any cost upfront or ongoing. CM Chandler said the only cost would be ongoing promotions of the program. Councilor Smith moved to instruct the City Manager to apply for the City to be part of the EPA WaterSense program. Councilor Miller seconded. Motion passed.

**6.4 – Silver Creek Raw Water Line Installation Project** – City Manager Chandler spoke on this project. He said there was additional information on this since the agenda had been published, which he would be sharing. CM Chandler said this project was far more expensive than originally anticipated, and the bids for it had come in much higher than what Staff had budgeted for. The City had received a grant for \$1,115,000 for this project which the City would be matching dollar for dollar. The project dates back to 2018, is part of the Water Master Plan, and is regarded as being one of the higher priorities on the Master Plan. It has also been identified as one of the projects on the 5-year Capital Plan that would be worked on in the next couple of years. The bid for the project came in at \$4,597,556.70, which is 100% higher than the original price (which is a 2-3 year old quote). When the 5-year Capital Plan was discussed, a new bid for the project was obtained. CM Chandler indicated that he was bringing this before Council to discuss options and get direction on the way to go. Staff proposes that the current fund balance in the Water SDCs fund, the Water Reimbursement SDCs fund, Water Capital Project fund, leftover McClaine Street project funds, and Water Treatment Plant project funds to come up a portion of the funding for the project. The Water Treatment pump house upgrade project will have to be pulled to make up the rest of the balance. No other water capital projects would need to be pulled. Councilor Smith asked for clarification on the location of the pump house that is being pulled.

Discussion included: Abiqua intake and whether the funds being used for this project will affect that, the timeline and whether it's possible to ask for an extension, debt associated with the project, rising costs over the last couple of years, budget adjustments, the in-water work portion of the project and the initially very low budget for it, and permitting delays on the project.

Councilor Freilinger moved to authorize the City Manager to award the bid, if the EDA extension and EDA grant amendment are received on or before April 17, as it relates to the Silver Creek Water intake project. Councilor Sears seconded. Councilor Sutton had a conflict, and abstained from the vote. Motion passed.

## VII. CONSENT

**7.1 – Liquor License Application – Rustic Melt** – Councilor Freilinger moved to approve this Consent agenda item. Councilor Neideigh seconded. Motion passed.

**7.2 – Civic Center Contract for Third Party Inspection** – This matter was pulled for consideration by Councilor Smith. She wondered why the recommendation was for Clare Company to do the testing, rather than Carlson. Luis Mendoza of Compass Solutions spoke regarding this matter. He said there are 3 companies to be considered, and the recommendation is for Clare Company. He said value was the major component in comparing these companies. He said that he hadn't received complete information from one of the companies, and Clare Company is the best value for the team. Councilor Smith clarified if we were paying for travel time; Mr. Mendoza said we were paying for mileage. He also mentioned that one of the line items was being taken out (soil testing), as they planned to go with a different entity for that service. Councilor Smith moved to approve the City Manager entering into an agreement with Clare Company to provide special inspection and testing service. Councilor Freilinger seconded. Motion passed.

**7.3 – Civic Center Geo Tech Contract** – Councilor Freilinger moved to approve this Consent agenda item. Councilor Neideigh seconded. Motion passed.

**VIII. APPOINTMENTS TO BOARDS AND COMMITTEES**

**8.1 – Budget Committee** – Mayor Palmer recommended that Morry Jones be appointed to the Budget Committee. He also indicated that he'd like Council to consider allowing him to make a field appointment of Hilary Dumitrescu, who applied for service on the Budget Committee (but the application was received after the agenda had been posted). Councilor Freilinger moved to appoint Morry Jones to the Budget Committee, and to authorize the mayor to make a field appointment of Hilary Dumitrescu to be finalized and approved at the next City Council meeting. Councilor Sutton seconded. Motion passed.

**IX. CITY MANAGER UPDATE** – City Manager Ron Chandler spoke briefly on an opportunity that has come up, which would save the City a considerable amount of money. He turned the discussion over to Deputy City Manager/Finance Director Kathleen Zaragoza for explanation. DCM/FD Zaragoza came before Council, and indicated 2 sewer bond debts could be refinanced at better interest rates, which would save the City \$628,000. The cost of the refinance would be \$27,500. City Manager Chandler spoke, indicating Council would need to hold a special meeting during the 3<sup>rd</sup> week of the month (usually the Work Session). Mayor Palmer said he'd like to see Hilary Dumitrescu's official appointment on Budget Committee as an agenda item for the special meeting. City Manager Chandler announced the Civic Center groundbreaking on April 11<sup>th</sup>, at 11:30am. Community Development Director Jason Gottgetreu will be a speaker, as will Councilor Smith, Mayor Palmer, and State Representative Rick Lewis. The groundbreaking itself will commence after that.

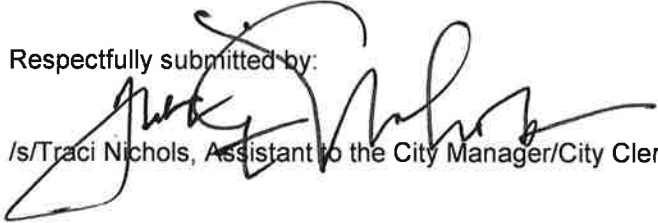
**X. COUNCIL COMMUNICATIONS** – Councilor Smith thanked staff for posting the Covid-19 Wastewater Results on the City website and Facebook page. She noticed there was still a lag time between sampling and receipt of results, and hoped the next step was working with OSU to reduce that time to make the data useful for real-time decision making. She stated she was excited about the groundbreaking, and solar energy event on Earth Day. She said Marion County has a new Master Recycler class starting, which is free and well worth the time. She said that they are looking for volunteers for the Repair Fair at Coolidge McClaine Park on May 9. Councilor Sears had nothing to add. Councilor Neideigh said she'd be unable to attend groundbreaking as she will be out of town. She greatly appreciates all the hard work in getting this project started. Councilor Miller reached out to the local consulate in Ukraine. They are looking into options on building a sister city program, and will get back to us. With regard to the Environmental Management Committee, there are some vacancies. He thought there was some interest, but isn't sure if any applications have been received. He will try to change his schedule to attend groundbreaking. Mayor Palmer wasn't aware of any applications being received, and hadn't been forwarded any. Mayor Palmer confirmed with the City Clerk there were no pending applications for EMC. Councilor Sutton joined her first DEI [Diversity, Equity and Inclusion Task Force] meeting, loved it and felt it very enlightening. She asked about the possibility of using an all-inclusive or diverse calendar, where we recognize multiple cultures, and publish it on our site with our calendar. We have a social media platform, but the City doesn't say "Happy Kwanzaa" and other. She inquired where the City was with the food co-op membership. City Manager Chandler said we had all we needed to move forward, but needed the nod from Council to do it. She asked Councilor Miller where we were at for disc golf. Councilor Miller said there had been no follow-through since the last update. No new information. She said she thinks disc golf is an amazing idea, and she's love to see it come to fruition. She recognized Cesar Chavez celebration had recently occurred. Councilor Freilinger seconded Councilor Sutton's idea on having a diversity calendar, and more community connection/outreach on the City's website and social media pages. He is excited about moving forward on the All-Ability Park. He will be there for the groundbreaking. Mayor Palmer mentioned that it's his intent to move out of the chair position in the DEI committee, and move Councilor Sutton in. He will still participate, but he has always intended to have someone that is a better fit to chair the Task Force. Councilor Freilinger moved to appoint Councilor Sutton to the chair position of the DEI Committee. Councilor Miller seconded. Mayor Palmer expressed his appreciation to the organizers of the annual dodge ball tournament. It's a great family fun event and funds almost the entirety of the alcohol-free all-night grad party. A member of the Silverton progressive group would like to install a bike rack somewhere in the community, and put a plaque on

it memorializing Charles Baldwin. Councilor Sutton said it would be an awesome idea to have the bike rack near the new park, since Mr. Baldwin was involved in Rotary.

**XI. ADJOURNMENT**

Councilor Smith moved to adjourn. Councilor Freilinger seconded. Meeting adjourned at 9:14pm.

Respectfully submitted by:

  
/s/Traci Nichols, Assistant to the City Manager/City Clerk