

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

Silverton High School Library and Zoom Web Conference Platform

June 6, 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 City of Silverton Resolution 22-06, adopted March 7, 2022.

| Present | Absent | |
|---------|---------------------|----------------------------------|
| X | _____ | Mayor Kyle Palmer |
| X | _____ | Council President Jason Freiling |
| X | _____ | Jim Sears |
| X | _____ | Jess Miller |
| X | _____ | Dana Smith |
| X | _____ | Elvi Cuellar Sutton |
| X | (Joined at 6:32) | Crystal Neideigh |

Staff Present:

City Manager, Ron Chandler; Deputy City Manager/Finance Director, Kathleen Zaragoza; Chief of Police, Jim Anglemier; Community Development Director, Jason Gottgetreu; Public Works Director, Travis Sperle; City Engineer, Bart Stepp; Assistant to the City Manager/City Clerk, Traci Nichols.

II. APPROVAL OF MINUTES

Councilor Freiling moved to approve minutes from the May 2, 2022 meeting, Councilor Sutton seconded. Motion passed, minutes approved.

III. PUBLIC COMMENT

No public comment noted in person, via Zoom, or through the City Clerk's office.

IV. SCHEDULED PRESENTATIONS

Canceled due to illness.

V. PUBLIC HEARING

Ordinance 22-03 – Stormwater Master Plan - Mayor Palmer called the Public Hearing to order at 6:36. No members of the City Council wished to abstain. No members of the City Council wished to declare a conflict of interest. No members of the City Council reported significant ex parte contact. No members of the audience challenged the City Council's jurisdiction to hear the matter. No members of the audience challenged individual members of the Council for bias or conflict of interest. Councilor Sutton indicated that her company, Wyeast Electric, was part of the Silver Creek Raw Water Line project, but that entity was not part of this. Mayor Palmer stated that the Raw Water Line project did not pertain to these proceedings. Community Development Director Jason Gottgetreu spoke regarding the Stormwater Master Plan-the subject of the public hearing. He indicated that the City Engineer would be better versed on the topic, and turned the presentation over to him. City

Engineer Bart Stepp spoke to Council, providing the outline of the plan, indicating there were some minor alterations, some dealing with climate change. He said there wasn't enough data to predict what climate change will do to the City's stormwater. He addressed planning criteria, the City's existing systems, evaluation of the City's existing capacity and recommendations on how to remediate issues, the City's Capital Improvement Plan, annual costs of stormwater maintenance, and funding opportunities. Mayor Palmer asked if anyone in the audience wished to speak in favor of the application. There were none. Mayor Palmer asked if anyone in the audience wished to speak in opposition of the application. There were none. Mayor Palmer asked if anyone in the audience who was neither in favor nor opposed to the application had any comment. There were none. Councilor Freiling moved to close the Public Hearing, Councilor Sutton seconded. Motion passed. Mayor Palmer closed the Public Hearing at 7:00pm.

Council and staff discussed the matter at length. Councilor Freiling moved that, based on the discussion, that the matter be referred back to staff to make modifications and bring it back next month. Councilor Smith seconded. Motion passed. Community Development Director Jason Gottgetreu indicated that when the ordinance is brought back to Council, the history of the proceedings would be noted. The matter will be brought back to Council next month.

VI. DISCUSSION/ACTION

6.1 – A Request to Reconsider the Conditions of Approval of the Annexation Requirements at 535 Short Street as Imposed by Ordinance 18-02 - City Manager Ron Chandler spoke regarding this matter. He indicated that Devon and Bethany Patterson had asked Council to reconsider the conditions of the 2018 annexation of their property last month. The former owner of the house had requested annexation into the City in 2017-2018. Part of the reason for the request was a failed septic system, and the then-owner wanted to hook into the City's sewer system. That annexation was approved, under Ordinance 18-02 with some requirements. One of those was that the owner would extend the main line to their property. That main line is a 10-inch line that extends just beyond the entrance to the Silverplace Apartments-about 270 feet. It would be another 50 feet to extend it to the rear of the Patterson property, but that extension could be an 8-inch line. According to the Ordinance, these conditions follow the property. In 2021, ownership of the property in question was transferred to Bethany and Devon. The Patterson's were proceeding with the connection, and had mistakenly been told by City staff that the line had been extended, and was running in front of their property. The Patterson's hired a company to install the sewer lateral. When they attempted to tap into the City lines, they found the line in front of their property was actually a storm line. CM Chandler worked with the Patterson's upon learning this, and worked with them to try to reimburse them for the costs. The Council could either take no action, and the Patterson's would have to meet the conditions of the requirements set in Ordinance 18-02 and extend the line. The Council could elect to offer a cost reimbursement/payback agreement-meaning that anyone who ties into the line in the future would have to reimburse the Patterson's through the City for their share. The payback agreement is good for 10 years, and after that there is no payback requirement for anyone that ties into the line. The third option is a payback agreement on the City's end-meaning that the City pays for the line, and anyone that hooks into the line would pay the City for it. The Patterson's would be the first. The fourth option is to create a local improvement district, which Council can initiate. This provides potential for the properties in the area to protest it. If it fails and can't go forward, the City would have to look into a different option. The fifth option is to allow a septic system to be done, which would require the property to be 'de-annexed'. Under the DEQ/State, if property boundaries are within 300 feet of the City, there isn't an option for septic.

The City Manager and Council discussed this matter, and the various logistics, at length. The Patterson's, of 535 Short Street, addressed Council and members of staff regarding the matter. They included their potential costs and what they felt were discrepancies in language associated with this matter. Staff and Council discussed various points amongst themselves, and with the Patterson's.

Mayor Palmer asked the Council what their pleasure was, in making a decision on this matter. Councilor Sears suggested interacting with the area residents, to see if they had any interest in participation. He also mentioned checking with the [Silverplace] apartment complex. Councilor Sears

moved that this matter be brought back to the City Council, after staff has had time to look into the cost of a 2-inch line, and that staff would attempt to contact the [Silverplace] apartment complex and neighbors who front the street that may be interested in tying into the proposed sewer line. Councilor Freilinger seconded. Robust discussion between Council members and staff ensued. Motion passed.

**** Council took a break from 8:25-8:31 ****

6.2 – Resolution 22-14 – Authorizing the City Manager to Execute the Interim Financing Contract with Oregon Business Development Department - Deputy City Manager/Finance Director Kathleen Zaragoza spoke to Council on this matter. Her report suggested that the Council authorize the City Manager to enter into the Oregon Business Development Department interim loan agreement. She discussed with Council the favorable interest rate for the interim loan. She said it would be better to pay a very low interim rate for a term, than seeking financing long-term at a much higher interest rate. Councilor Freilinger moved to approve Resolution 22-14, authorizing the City Manager to execute the interim financing contract with the Oregon Business Development Department, and for the mayor to sign the interim financing contract for the new water treatment plant in the amount of \$9,500,000. Councilor Sears seconded. Motion passed.

VII. CONSENT

7.1 – Resolution 22-12 – A Resolution of the City Council to Transfer Funds Due to Unforeseen Expenditures to Increase Appropriations Related to the Pallet Shelter Project - Councilor Sears moved to approve the items in the Consent agenda, 7.1 and 7.2. Councilor Neideigh seconded. Motion passed.

7.2 – Resolution 22-13 – A Resolution of the Silverton City Council Increasing the SDC Credit Amount for the Railway Avenue Sidewalk Improvements Project That is a Part of the Public Facility Improvement Agreement with Westrend Homes, LLC - Councilor Sears moved to approve the items in the Consent agenda, 7.1 and 7.2. Councilor Neideigh seconded. Motion passed.

VIII. APPOINTMENTS TO BOARDS AND COMMITTEES

8.1 – Affordable Housing Task Force, Tourism Promotion, and DEI Task Force - Mayor Palmer stated that it was his intent to resign as Chair of the Affordable Housing Task Force, which would create 4 openings. He wished to nominate Councilor Freilinger as the chair. He wished to appoint Karyssa Dow, Mikee Smith-Hawley, Barbara Rivoli and Ray Teasley as the 4 new members. Councilor Miller motioned to accept Chair Palmer's resignation from the Affordable Housing Task Force, and, to appoint Councilor Freilinger as chair, and to nominate Karyssa Dow, Mikee Smith-Hawley, Barbara Rivoli and Ray Teasley to the committee. Councilor Sears seconded. Motion passed.

Mayor Palmer recommended Stacy Shaw be appointed to the Tourism Promotion Committee as an at-large position. Councilor Freilinger moved to appoint Stacy Shaw to the at-large opening on the Tourism Promotion Committee. Councilor Sutton seconded. Motion passed.

Mayor Palmer recommended reappointment of Brianna Wolterman and Abigail Hoke. Councilor Freilinger moved to reappoint Brianna Wolterman and Abigail Hoke. Councilor Sutton seconded. Motion passed.

IX. CITY MANAGER UPDATE

9.1 – House Bill 2021 approved \$50 million for grants that can be used for planning or community renewable energy or energy resilience projects. He indicated that staff had checked into whether the solar panels being installed on the new Civic Center building would qualify under these grants, and it was found they would. Other interest has been shown in applying for this grant, specifically to help incentivize solar panel systems for those who may need assistance. Sustainable Silverton also approached the City, indicating an interest in applying for this grant to aid them in the new Solarize

Silverton program. The question for Council is whether they would like staff to pursue application for both, or for one or the other. Applications are due on July 8th. Councilors all indicated they would like to see the application go forward.

X. COUNCIL COMMUNICATIONS

Councilor Smith had nothing. Councilor Sears thanked Public Works Director Travis Sperle for the new concrete driveway at Mark Twain School. He said it looked really good, and finished up that project. Councilor Neideigh had nothing. Councilor Sutton wanted to see Council members talk to their committee volunteers about possibly mentoring incoming members when they themselves are ready to leave. She would also like committee members to possibly look for people to take their place. She thinks it's important to stress this to them, because we are chronically lacking people to sit on or chair committees. She would like to see this in the application process, or somewhere in writing, to alleviate future deficiencies. Councilor Sutton also wanted to know if the Police Department went out and did training in the Silver Falls schools. She wanted to ensure the school district and police department were working toward, and prepared for, any and all things. Chief Anglemier addressed Council, and discussed the police department's programs and training in this area. Councilor Sutton asked Chief Anglemier if he had been in contact with the schools regarding training of teachers in the schools. Chief Anglemier indicated that they had recently been in discussions about numerous things along those lines. Councilor Sutton would like the City to look into funding, and possibly assist teachers in protecting children in the schools in whatever capacity is needed. Councilor Miller is meeting with the high school principal to go over some concepts, and get his perspective on the Environmental Management Committee. They will hopefully discuss nominating a new [high school] member to EMC. Councilor Freilinger had nothing, and appreciated Councilor Sutton bringing up school safety issues. He can think of no higher priority than police interaction with and protection of our schools in an active shooter situation. He hopes that would be our highest priority. Mayor Palmer appreciated the thoughtful comments from the Council and Chief. He appreciates the attempt to have conversations with the community regarding critical situations. He thanked the Kiwanis Club of Silverton for another successful Pet Parade. He was glad a lot of the Council could be there. He mentioned the Rotary Club's Daddy/Daughter dance, and thought it was a great event for the community.

XI. ADJOURNMENT

Councilor Smith made a motion to adjourn and Mayor Palmer adjourned the meeting at 9:14 pm.

Respectfully submitted by:


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