

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL

7:00 PM

April 4, 2011

The City of Mt. Angel's City Council met in a regular session Monday, April 4, 2011 at the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

1. **CALL EXECUTIVE SESSION TO ORDER:** The executive session of the Mt. Angel City Council was called to order at 6:30 pm by Mayor Rick Schiedler.
2. **EXECUTIVE SESSION:**
An executive session was held pursuant to ORS 192.660(2)(a) to conduct the annual performance evaluation of the City Administrator. Representatives of the news media were allowed to attend the executive session but could not disclose any information gathered therein.
3. **ADJOURN EXECUTIVE SESSION:** Mayor Schiedler adjourned the executive session at 7:05 p.m.
4. **CALL TO ORDER:** The regular meeting of the Mt. Angel City Council was called to order at 7:12 pm by Mayor Rick Schiedler.
5. **FLAG SALUTE:**
Councilor Bischoff led the salute to the flag.
6. **ROLL CALL:**

<u>COUNCIL</u>	<u>STAFF</u>
Rick Schiedler, Mayor	Susan Muir, City Administrator
Ray Eder, Council President	Kelsey Lewis, Assistant to the City Administrator
Darren Beyer, Councilor	Dan Bernt, Public Works Superintendent
Andrew Otte, Councilor	Tracy Grambusch, Finance Director
Kelly Grassman, Councilor	Mike Healy, Police Chief
Teresa Kintz, Councilor	
Karl Bischoff, Councilor	
7. **GUESTS, PRESENTATIONS, AND ANNOUNCEMENTS:**
 - a. **Results of City Administrator Annual Performance Review**
Councilor Otte gave a summary of results from City Administrator Susan Muir's annual performance evaluation. The Mayor and Councilors all congratulated S. Muir on her excellent work, and in lieu of a pay increase the Council authorized travel expenses to attend the ICMA conference in September 2011. Councilor Kintz moved to approve the out-of-state travel. Councilor Beyer seconded.

AYES: 6

NAYS: 0

8. APPEARANCE OF INTERESTED CITIZENS:

Mt. Angel Resident and Planning Commissioner Tom Duker came to express his concern about the possibility of a new business coming to Mt. Angel in the old Wilco building [190 S. Main Street]. He heard that it would be a tire shredding facility and was concerned that the City Council and Planning Commission would not have sufficient opportunity to give their opinions about this potential business enterprise. T. Duker stated that he contacted the City Administrator S. Muir and she stated that as long as the proprietor obtained the required permits from the DEQ (Department of Environmental Quality), that they could have the business there. He felt that the City should review the situation further because the new business would constitute a change in use of the property and he felt that therefore that the Planning Commission should have some control over whether the business could operate in Mt. Angel.

S. Muir stated that city staff contacted the potential owner and confirmed that the business would be storage and distribution only and not tire shredding. City staff also contacted DEQ to find out more about the requirements for having a tire wholesale business. DEQ was already aware of the potential business and informed staff that the tire storage facility would need a business license from the Secretary of State, a waste tire combo permit (storage and carrier permits), financial assurance of \$5000 surety bond naming the state as beneficiary, and a Land Use Compatibility Statement (LUCS). In order to complete the LUCS the business would have to have the City confirm and sign off that their use is allowed in that zoning district. Once they completed all those requirements to apply for the waste tire combo permit, DEQ would write up a draft permit, notice the surrounding property owners and make the draft permit available for public review. S. Muir contacted the Mt. Angel Fire Chief Don Fleck and he was available for questions as well.

S. Muir confirmed with Mayor Schiedler and Councilors that the property was zoned light industrial and that the proposed business, a tire storage facility, is permitted outright under Mt. Angel development code as a warehouse or distribution facility. The Council would not have control over accepting or denying it because it is permitted outright by City code. S. Muir stated that if they felt that the property was zoned incorrectly, the Council could initiate a zone change. This is a public hearing process over several months, first going to the Planning Commission and then to the Council.

T. Duker expressed concern about the fire danger of storing tires in the building. He called for testimony from the Fire Chief about the possible fire hazard. D. Fleck stated that the Fire Code does regulate how high and how many tires could be stored but he thought that it would be impossible for the Fire District to put out a tire fire and would have to evacuate the area if a fire started. Councilor Otte asked if D. Fleck knew if the building had adequate fire protection. D. Fleck stated that the building had a sprinkler system in the past but he was not sure of the current situation. Assistant to the City Administrator Kelsey Lewis stated that when she spoke with the representative of this potential business he asked if he could conduct a tire wholesale and storage business in the zone and it seemed that he was mostly gathering information and not necessarily planning to act immediately.

9. CONSENT AGENDA:

- a. **Approve City Council Meeting minutes for March 7, 2010**
- b. **Mt. Angel Telephone Street Closure Request**
- c. **NAPA Auto Street Closure Request**

Councilor Kintz asked if the street closure fee was \$25 per block; staff confirmed that it is currently a \$25 flat fee for street closure.

Councilor Otte moved to adopt consent agenda. Councilor Eder seconded.

AYES: 6 NAYS: 0

10. REVIEW ACCOUNTS PAYABLE:

Police Chief M. Healy responded to questions about court assessments. The jail assessments are required payments to the County for drug and alcohol treatment and court. LEMLA (law enforcement medical liability assessment) is to pay for medical insurance for people who need medical treatment while incarcerated. State court facilities assessments go into a state pool where individual courts can apply for funds to update their security. The citation refund is issued when the judge decides to reduce a fee for a traffic violation with a no-contest plea. Assessments are paid monthly.

Councilor Beyer asked whether the City has heard any news about assistance from PGE for the expense of replacing the chart recorder that was damaged when a utility pole was hit. S. Muir answered that she filed a claim with PGE and has not heard back yet.

Councilor Kintz asked why hydro-jetting expense appeared in Administration and Public Works. D. Bernt and S. Muir answered that this was the cost for plumbing repair after the fire and it was split because the Senior Center is owned by the City and that cost was accounted for under Administration.

11. COMMUNICATIONS/CORRESPONDENCE:

None.

12. UNFINISHED BUSINESS:

- a. **City Fee Schedule**

K. Lewis stated that during the last meeting the Council directed staff to research fees charged in the City before Resolution 1244 was adopted in 2008. There was no definitive source of information on city fees before Resolution 1244 so staff was recommending changes to the fee schedule based on the Council's discussion last month. Staff proposed the fee for reserving a park to be \$25 for a resident, \$40 for non-resident, and \$25 cleaning deposit. The only other change was the cleaning deposit for reserving the community room going from \$100 to \$25 to match the park cleaning deposit.

Councilor Beyer wanted to confirm that the City no longer offers faxing services; staff confirmed. S. Muir stated that faxing is time-consuming and was pulling staff away from performing their primary job functions. Councilor Grassman supported that recommendation.

Councilor Grassman questioned whether the baseball league fee should be lowered. She wondered whether it was appropriate to charge that much if the league was doing some of the maintenance during their season. Councilor Otte felt that the fee was reasonable. Councilor Beyer asked if leagues actually use the lights on the field and therefore incur that cost; D. Bernt answered that they do not usually.

Councilor Kintz felt that the fees should be the same for everyone, not distinguishing among residents, civic groups, and government organizations for reserving the community room. Councilor Bischoff asked Councilor Kintz what she would propose. She answered that it be \$25 for everyone. Councilor Grassman commented that it did not make sense to charge for government organizations because then the City would have to charge itself to have Council meetings. She also felt that, unlike individuals, government organizations would be offering some sort of service that would benefit the community. Councilor Kintz responded that the City should charge other government organizations but not charge itself for reservations. Councilor Eder commented that other jurisdictions probably make the distinction between government organizations, civic groups and individuals as well. Mayor Schiedler stated that he felt that civic groups should be recognized for serving the community and the fees make sense as proposed.

Councilor Otte moved to approve the new city fee schedule. Councilor Bischoff seconded.

AYES: 5 NAYS: 1

Councilor Kintz opposed the motion.

b. Council Goal Discussion – Livability (Sidewalks), Strategic Planning & Revenue Goals

Administrator Muir reviewed Council goals that have been accomplished. D. Bernt explained the bids he received for the Taylor Street sidewalk project. Councilor Bischoff asked if staff keeps track of citizen requests for fixing sidewalks; K. Lewis and D. Bernt do not keep a log of these.

Councilor Kintz commented that she feels that the Council should create some kind of assistance program for the property owners to repair sidewalks in front of their houses. She felt that the City should make homeowners aware that, according to the City ordinance, the sidewalks are their responsibility.

Councilor Grassman felt that the Council should set aside money for sidewalks every year and stated that she wanted to get started on a sidewalk improvement project as soon as possible. Mayor Schiedler and Councilor Otte agreed with Councilor Grassman and expressed interest in

creating a 50/50 split program to assist homeowners in the future but wanted to go ahead with a project immediately. Councilors discussed further the goal of improving sidewalks.

S. Muir asked for direction about what to do with the extra \$7000 left over after doing the Taylor Street improvement project. Councilor Beyer said he thought the City should continue improving Taylor Street farther down the street. Councilor Otte wanted to spend the money this year and get a project done. S. Muir asked for confirmation that the Council was directing staff to do the Taylor Street project as discussed in the last meeting and then move to Recommendation # 3, the project on Elm Street. A majority of Councilors nodded their approval to go ahead.

S. Muir discussed the draft work plan for strategic planning alignment. She described the cost estimate included in the packet as a worst-case scenario and it may not be included in the budget request for next year at this cost. S. Muir also explained that a new committee will be formed to address the goal of increasing revenue. The Council will need to recruit members by October.

13. NEW BUSINESS:

a. Parks Master Plan Public Hearing

Administrator Muir explained that although the Council had already approved the Parks Master Plan in 2009 it was not adopted as a land use plan. In order to apply for grants through the State Parks, the Council needed to approve the Parks Master Plan document as part of the City's Comprehensive Plan. The Council could approve it at this meeting and the final piece would be to adopt an ordinance in the next Council meeting in May. Then the City would be able to compete for grants.

Mayor Schiedler opened the public legislative hearing. Assistant to the City Administrator Lewis explained that the revisions to the plan were made to update the language and maps for the addition of two parks- Saalfeld Family Park and Engelberg Centennial Platz.

Councilor Otte stated that if no one had anything to say, he felt ready to move to adopt. With no comments from the public or Councilors, Mayor Schiedler closed the public hearing.

Councilor Otte moved to adopt the Parks Master Plan into the City of Mt. Angel's Comprehensive Plan. Councilor Beyer seconded.

AYES: 6

NAYS: 0

14. CITY ADMINISTRATOR'S REPORT:

Administrator Muir introduced Raul Garza who represented Cleveland Street neighbors in a meeting the night before with Oktoberfest representatives to discuss issues related to the condition of Cleveland Street. S. Muir, R. Garza, and J. Gooley wrote up an agenda of issues including neighbors' concerns about dust, drainage, and blocked driveways. S. Muir explained

that the City will work with Allied Waste to prevent problems with garbage at the clean-up event that happens each year shortly before Oktoberfest. Councilors discussed where a better location for the garbage dumpsters might be during the clean-up and S. Muir welcomed any suggestions. S. Muir explained that during the meeting between the neighbors and Oktoberfest they also discussed the possibility of doing a local improvement district in the future. R. Garza said that he thought it was a good meeting and he was looking forward to getting some improvements on Cleveland Street.

S. Muir also mentioned a recent meeting where several cities got together to be represented by a city attorney in the negotiation for a PGE franchise update. She stated that she would bring more information to the Council at a later date. She mentioned that this year's Oktoberfest franchise agreement was in the beginning stages and the City hoped to consolidate the agreement all into one document for the 2011 Oktoberfest.

S. Muir announced that due to budget challenges in the school district, the City is considering increasing its funding percentage in order to keep the School Resource Officer (SRO). Currently the school district pays roughly two-thirds and the City pays one-third of the cost. The school district is considering not funding that position at all because of depleted resources in the budget. Councilor Otte asked what the cost would look like if the percentages were flipped with the City paying two-thirds and the school district paying one-third. S. Muir said staff would bring funding information during the budget process. Councilor Kintz asked why the City could not have a regular officer do the SRO position or if it was really necessary to have a full-time officer. Police Chief Healy answered that he felt it was absolutely necessary to have a full-time SRO because it helped in developing trust with the kids and a part-time SRO does not work as well. Mayor Schiedler commented that he felt that having the SRO was important and that the Council should find a way to fund it. Councilor Grassman agreed.

15. REVIEW OF WRITTEN STAFF REPORTS:

a. Police Department: Interim Chief Mike Healy – written report

Chief Healy briefly described the status of an investigation and trial mentioned in his report.

b. Public Works Department: Superintendent Dan Bernt – written report

Councilor Otte asked if the trees recently donated and planted in city parks were acceptable under the Parks master Plan; S. Muir confirmed that they are.

c. Finance Department: Tracy Grambusch – written report

Councilor Otte asked for more explanation about why the finance software upgrade is causing problems with the computer network. S. Muir explained that when the City upgraded the Caselle software, the Administration staff noticed a dramatic slow-down on the network. K. Lewis explained that there were many possible reasons why the network had slowed down, but the bottom line was that the network was close to full capacity and the existing hardware was

out-of-date. The cost of hardware to address the problem was fairly minimal and the updates were a normal part of maintaining a computer system. K. Lewis also mentioned that she was planning to develop a longer-term maintenance schedule and budget for computer services similar to the vehicle replacement schedule that was included in last year's budget. This would help the City anticipate technology expenditures and prevent major problems in the future.

d. Library Department: Collette DeCock – written report

Councilor Grassman asked about issues with the gutters on the library roof as mentioned in the written report. S. Muir stated that she informed a library board-member that spending money on that issue was not a high priority given all the other needs for resources in the City.

Councilor Grassman also asked why the Library Board was focusing so much on library fine complaints. S. Muir mentioned that the City is looking into some training for library staff for dealing with difficult situations and customers which might help with that issue.

16. COUNCILOR/COMMITTEE REPORTS:

Councilor Grassman asked if anyone was planning the LOC conference in September. She commented that these conferences were very useful for new councilors. S. Muir reminded the Council that there is a line-item in the budget for Council training that could be used to attend the conference.

Councilor Otte announced that he received a citizen complaint about an incident with a handicapped parking spot near the Littlest Angel's preschool. The citizen got a warning from one of our police officers to not use the space but was not ticketed. Councilor Otte called City Hall to notify staff and asked if the City needed the handicapped spot. He was told that there was one more spot than was required by code. Public Works then removed the handicapped parking spot, leaving one handicapped as code requires. Councilor Otte stated that in his experience, the City system for complaints worked the way it should.

Councilor Bischoff asked whether the City has any plans to repaint the lines on the handicapped parking spaces in front of City hall and the post office. S. Muir responded that the City will be repainting now that reflective paint is available. There was also discussion about repainting the crosswalk in front of the high school. Marion County has jurisdiction over that section of Marquam Street.

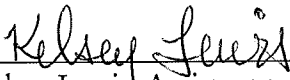
17. MAYOR'S REPORT:

Mayor Schiedler described his recent visit to the Benedictine Nursing Center. He also commented that the Silverton Appeal published an article about his mission trip to Africa and he has given several presentations to civic groups about his experiences there.

18. ADJOURNMENT OF REGULAR MEETING:


Mayor Schiedler adjourned the meeting at 9:48pm.

Respectfully submitted by:



Kelsey Lewis, Assistant to the City Administrator

ATTESTED BY:



Rick Schiedler, Mayor