

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL

7:00 PM

October 3, 2011

The City of Mt. Angel's City Council met in a regular session Monday, October 3, 2011 at the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

1. **CALL TO ORDER:** The regular meeting of the Mt. Angel City Council was called to order at 7:05 pm by Mayor Rick Schiedler.

2. **FLAG SALUTE:**
Mayor Schiedler led the salute to the flag.

3. **ROLL CALL:**

COUNCIL

Rick Schiedler, Mayor
Ray Eder, Council President
Darren Beyer, Councilor
Andrew Otte, Councilor
Teresa Kintz, Councilor
Karl Bischoff, Councilor

STAFF

Susan Muir, City Administrator
Kelsey Lewis, Assistant to the City Administrator
Dan Bernt, Public Works Superintendent
Mike Healy, Police Chief
Chaunee Seifried, Finance Director

4. **PRESENTATIONS, GUESTS, AND ANNOUNCEMENTS:**

a. Pepsi park recognition

Mayor Schiedler recognized Al Fiedler for Pepsi's volunteer service in Fisher Park this year. A. Fiedler thanked the City Council for their work for the community and commented that the volunteers love doing this project. Administrator Muir also thanked Al Fiedler and Pepsi.

5. **APPEARANCE OF INTERESTED CITIZENS:**

John Gooley came to say thank you for the City's help with Oktoberfest. He mentioned the successful Cleveland Street paving and Councilor Otte's work on the creating this year's agreement. He was looking forward to receiving the final certificate of occupancy on the Community Building [Biergarten] as well. Councilor Kintz asked how much Oktoberfest charges to rent the building space; J. Gooley stated that for Mt. Angel residents it was \$1750 and \$2450 for non- residents per weekend.

[At this point discussion moved to Item 9c & d to accommodate a Councilor leaving early. Minutes return to Item 6 on page 4.]

9. **UNFINISHED BUSINESS:**

c. Taylor Street projects

Administrator Muir explained that this was an opportunity to give staff direction on which projects to do for the 2012 Taylor Street improvement project. She noted that this was an item during the budget discussions in May that the Council approved for funding but had not chosen a specific

project. The Council budgeted \$71,400 for a project. Staff was also coming to the Council because the cost estimates had to be adjusted due to increased cost of asphalt and so the projects needed to be adjusted accordingly. S. Muir reviewed the three projects outlined in the packet: Taylor Street from Garfield to Oak for approximately \$57,000; from Elm to Cherry for \$66,000; and from Cherry to Alder Street for \$46,000.

Councilor Otte asked if the Council had to choose one of the three projects in the packet; S. Muir answered that it did not and that the estimates were provided as suggestions. He stated that he wanted to choose a project that would pave where it is currently unpaved, not overlay a section that already has paving and therefore he did not think Cleveland to Sheridan needed improvement. He also commented that the portion of Taylor Street from Sheridan to Oak Street was in great need of improvement.

Councilor Bischoff stated that he wanted Elm Street to St. Mary's Avenue.

Councilor Kintz noted that the dollar amounts were estimates and asked when staff would be getting bids; Superintendent Bernt answered that staff would get bids when the Council decided on which project to fund. She expressed interest in improving Sheridan to Oak Street and Elm to Cherry Street.

Councilor Bischoff asked about the mobilization cost going from \$5,000 to \$10,000; D. Bernt responded that this would take prevailing wage into account because the project would cost over \$50,000.

Councilor Beyer asked the rest of the Council if they were trying to stay close to the budgeted \$71,400, in which case it seemed that the project would have to stop somewhere in the middle of Cherry Street. D. Bernt suggested that it was unusual to seek bids for a half block. Councilors further discussed how to ask for bids. S. Muir confirmed that staff could ask for bids block by block.

S. Muir confirmed with the Council that they were most interested in improving Taylor Street from Sheridan to Oak, from Elm to St. Mary's, and from St. Mary's to Cherry. Councilors Otte and Eder agreed that they thought the Council should keep the amount spent to the \$71,400 as budgeted or very close to that.

Councilors discussed what to do with any money left over; suggestions were made to carry it over to the next year or spend it on sidewalks.

Councilor Kintz suggested improving the section between Sheridan and Oak Street in the next month or so and another in the spring. S. Muir commented that the City may pay the mobilization costs twice if they chose to do the projects separately. D. Bernt said it probably take a few weeks to get the formal bids since the project would be over \$50,000. Councilor Beyer said that he had hoped that these projects would have been done by now and wanted to be more proactive in the next budget year. Mayor Schiedler commented that if the City had asked for bids during July or

August the cost would probably have been higher because that is the busy construction season. Councilor Otte commented that the Council should be cognizant of not doing this project on a route to the schools right in the middle of the school year; he suggested doing the project during the summer when school is not in session. Councilor Beyer suggested during spring break to avoid the school traffic.

Councilor Bischoff commented that he wanted to add Taylor between Cleveland and Sheridan to the project and take out St. Mary's to Cherry Street. Councilors further discussed how to bid for the projects; S. Muir commented that it would be better to be clear about what the Council wants in the bid to get the best deal for the City.

S. Muir asked for clarification: Elm to St. Mary's seemed to be the highest priority. Councilors gave head nods to get a bid for all four blocks [from Cleveland to Sheridan, Sheridan to Oak, Elm to St. Mary's, and St. Mary's to Cherry] with the option to shorten the project to fit the budget, and for staff to bring back the bid as soon as possible. D. Bernt noted that this would need to be a formal bid, which requires advertisement, time for bidders to respond, and the bid opening. S. Muir confirmed that staff would aim for November and if that was not possible, for the December meeting.

d. Sidewalk Projects

S. Muir reviewed the three projects that Council focused in on during the last meeting: Taylor Street, W. Marquam Street, and the "safety panels," the most dangerous individual sidewalk panels around town. She stated that staff had some more information about these locations which was described in the packet, including price estimates. She noted that on W. Marquam Street, the City would have to do some engineering for the sidewalk close to the railroad which would increase the price. Staff would need to coordinate with the Willamette Valley Railway Company and Oregon Department of Transportation (ODOT) Rail Division for that area. She also explained that safety panels were defined in a resolution as part of a previous sidewalk program. She noted that the sidewalk program was more of a notification to home-owners that they must repair their sidewalks with savings in mobilization costs. S. Muir suggested that if the Council was interested staff could modify the resolution to not be mandatory and bring it back for Council consideration.

Councilor Otte thanked staff for taking pictures and getting estimates on W. Marquam Street. He asked whether the cost estimate in the packet was for one side or both sides of the street; D. Bernt answered that it was just for the north side.

Councilor Kintz asked if ODOT or the railroad had any money to help with this project; S. Muir said that staff did not get any offers when she contacted them for information about regulation. Staff would continue to look for partnerships on the railroad crossing. S. Muir commented that the City would probably have to get well into the project and start spending money before staff would know how much engineering would be required and how much the Marquam sidewalk project will cost. Councilor Kintz also asked for clarification about the Taylor sidewalk repair estimate; the estimate was for both sides of the street.

Councilor Beyer commented that he still thought Taylor is the best sidewalk project since they were already going to improve the street as well. Councilor Kintz said she wanted to improve Marquam and get estimates to repair Elm Street sidewalks between Taylor and Marquam. Councilor Otte suggested Taylor minus the St. Mary's section and take that money to put toward Marquam sidewalks.

Councilor Eder asked when staff planned to do these projects; S. Muir answered in the spring according to the Council goals timeline. S. Muir explained that staff recommends that Council direct staff on which project and then staff will get bids and do projects in the spring without coming back to the Council.

S. Muir asked for confirmation that the Council wanted to move forward with Taylor Street from Elm to Alder, along Elm Street from Taylor to Marquam, and then the north side of Marquam at Spruce heading east until the \$20,000 is spent. Councilors Otte and Beyer agreed; Councilor Kintz responded that she wanted to go for Marquam Street sidewalks and leave Taylor out. Councilor Bischoff commented that Taylor was a good idea but that Marquam was more urgent. Councilor Eder said that he wanted to do the Marquam project. Councilor further discussed a tree root issue on Marquam near the railroad.

S. Muir asked for confirmation that the Council had decided on Marquam sidewalks on the north side starting at Spruce heading east until the money runs out; she received head nods. She stated that staff will keep the Council informed about their interaction with Willamette Valley Railway and would go forward with project in the spring or summer of 2012 without further direction from Council. Councilor Kintz asked why it couldn't be done sooner; S. Muir answered that this was the project spacing established in the Council goal timeline and Public Works staff already had many projects underway including with the irrigation projects. Councilor Kintz suggested calling off the irrigation projects; Councilor Bischoff commented that he would rather not change course on that because irrigation was planned as part of the Parks Master Plan.

[At this point Mayor Schiedler directed the meeting back to Item 6 to follow the agenda.]

6. CONSENT AGENDA:

- a. Approve City Council meeting minutes for September 6, 2011.

Councilor Eder moved to approve the consent agenda; Councilor Otte seconded.

AYES: 6 NAYS: 0

7. REVIEW ACCOUNTS PAYABLE:

None.

8. COMMUNICATIONS/CORRESPONDENCE:

S. Muir explained that she contacted Barbara Bochsler about her letter to the City regarding her sidewalk; thanked her, informed her that the sidewalk was her responsibility under the ordinance, and would let her know if the Council devised a cost sharing program for repairing sidewalks. She

commented that another property-owner had contacted her with a similar request and she informed that person of the same information.

Councilor Kintz stated that she thought the City should fix B. Bochsler's sidewalk.

Councilor Beyer asked if the City was looking into having a program similar to the sewer lateral assistance program for this; S. Muir answered no and that if the Council wanted to fund a program that money would come out of the \$20,000 they had just decided to spend on Marquam sidewalk repair. Councilor Kintz asked if they could use the \$1500 capital contribution that the City received from Oktoberfest. Councilor Otte stated that he thought they had already spent it on the City's portion of the Cleveland Street improvement project; Councilors Bischoff and Eder agreed. Staff agreed but S. Muir stated that staff could go back and confirm that.

Councilor Beyer asked if the City has a place for property owners to dump old sidewalk debris if and when they replace it; D. Bernt replied that the City does not. It is the responsibility of the contractor who is replacing the sidewalk to dispose of it. Councilor Bischoff commented that now is not the time to get into paying for individual property owners' sidewalks.

Councilor Otte asked staff to find out whether the ordinance defining the property-owner as responsible [Ord. 437, Mt. Angel Code 93.086] or the sidewalk program resolution [Res. 1076] rules. S. Muir explained that she did not see the ordinance and resolution as conflicting and that the City could elect to repair sidewalks if the Council chose to fund that regardless of whose responsibility it was. She confirmed that the City does not currently have an active sidewalk program because it is not funded. Councilor Beyer commented that if the City enforced the ordinance there would be many upset property-owners in town.

Mayor Schiedler commented that there are many safety issues with sidewalks in town and noted that B. Bochsler had already invested some money because she had the tree removed. K. Lewis confirmed that the City tree removal permit has no cost to the applicant.

S. Muir explained that the Council made enhancing the livability of the community a goal and they could fund a program to help with this kind of project if they choose. Councilor Eder suggested that the City repair safety panels if there is any of the \$20,000 left over after Marquam. Councilor Beyer agreed.

Councilor Kintz reiterated that the Council should fix B. Bochsler's sidewalk. Councilor Eder suggested that B. Bochsler's sidewalk be put on the list as one of the safety panels to be replaced if there is money left over.

S. Muir asked for confirmation that the Council was directing staff to compile a list of the safety panels to be done after Marquam Street. There was no clear direction.

Mayor Schiedler asked if there was more discussion. Councilor Otte asked what the Council was going to do for every next person who wanted the City to fix their sidewalks. He commented that he would be ok with fixing this one sidewalk, but that if the Council wanted to institute a 50/50 split program, they needed to talk about that in next year's budget, not now. Councilor Bischoff commented that the City does not have a pool of money or a fund for this yet. He agreed the sidewalk in front of B. Bochsler's house was bad but did not want to treat her differently than anyone else. Mayor Schiedler suggested that staff put that panel in the bid for the other sidewalks. Councilors and staff further discussed sidewalk repair.

S. Muir asked if Council was directing staff to fix B. Bochsler's sidewalk now and repair the sidewalks on Marquam in the spring. S. Muir recommended a motion and a vote if that was what they wanted to do. Councilor Beyer expressed that he still had reservations about beginning down the path of repairing sidewalks for individuals.

Councilor Otte asked how B. Bochsler reacted to being told that it was her responsibility; S. Muir responded that she was very pleasant and thanked her when S. Muir told her that she would inform her if the City had any assistance programs in the future.

Councilor Bischoff commented that he was just concerned that it would set a precedent. Councilor Kintz said they should move on.

9. **UNFINISHED BUSINESS:**

a. Ambulance licensing ordinance- second reading

K. Lewis introduced the second reading of the ordinance to repeal the ambulance franchise and institute a licensing program.

Councilor Otte moved to approve the ambulance licensing ordinance; Councilor Bischoff seconded.

AYES: 5 **NAYS: 1** [Recorded as Ordinance 731]

Councilor Kintz opposed the motion. She commented that she did not have a problem with licensing ambulance providers but opposed the motion because the Council had the opportunity to regulate rates and chose not to do so.

b. Updated city fee schedule resolution

K. Lewis explained that this resolution would update the city fee schedule to include the fee per the new ambulance licensing ordinance. S. Muir noted that the fee included some attorney fees to draft the new ordinance.

Councilor Otte moved to approve the updated city fee schedule resolution; Councilor Bischoff seconded.

AYES: 5 **NAYS: 1** [Recorded as Resolution 1376]

Councilor Kintz opposed the motion.

[Minutes for Items 9c and 9d are on pages 1 through 4 due to a change to the agenda.]

10. NEW BUSINESS:

None.

11. CITY DEPARTMENT REPORTS:

Administrator Muir stated that the City received 15 applications for the Utility Lead Worker position and 76 for the Utility Worker I position and would move forward with interviews soon. She also noted that Chaunee Seifried had begun officially as Finance Director and she was happy to finally have City Hall fully-staffed.

S. Muir reviewed that staff had not anticipated needing to replace police vehicles during the 2011-12 budget cycle. However; the City of Portland was getting rid of two good cars with 60-70,000 miles on them. The cost would be \$11,000 for both cars. S. Muir noted that this purchase does not require Council action but since staff did not anticipate making the purchase during this budget she wanted to get head nods from the Council.

Councilor Otte asked if there is any value in the vehicles we would be getting rid of; Chief Healy said \$700-1000 per vehicle. Councilor Bischoff asked what our plan was if this had not come up; M. Healy said he would like to have a long-term vehicle replacement plan but was not expecting this and thought it was a good opportunity. He stated that we have to assume that this opportunity will go away next year and in subsequent years. He felt this was an extremely good deal. Ideally the City would replace one car per year; there are two cars that needed replacement now. Councilor Otte commented that he agreed that the City needs a long term strategy on vehicle replacement. S. Muir saw head nods from the Council.

12. COUNCILOR/COMMITTEE REPORTS:

Councilor Kintz mentioned that on her ride-along with public works staff there were a few water meters that could not be read because they were underwater. D. Bernt responded that staff has some special equipment they use to read those meters or they wait a few days until the water has gone down to read them again.

Councilor Beyer asked about a purchase of a 20 horsepower discharge pump; D. Bernt responded that this was an item he bought as planned in the budget.

Councilor Kintz described her tour of the wastewater treatment facility. She commented that staff member Gavin Blair mentioned a project that he wanted to have done and she hoped he would bring that up during the budget next year.

13. MAYOR'S REPORT:

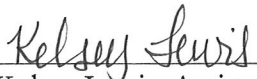
Mayor Schiedler stated that Oktoberfest went well. He commented that at the PGE Board of Director's meeting he received a \$250 check for his volunteer award; he was donating that to the

City for a bench in one of the parks. S. Muir stated that staff and Mayor have some ideas for purchasing benches to have a consistent appearance.


14. ADJOURNMENT OF REGULAR MEETING:

Mayor Schiedler adjourned the meeting at 9:08 pm.

Respectfully submitted by:


Kelsey Lewis, Assistant to the City Administrator

Attested by:


Rick Schiedler, Mayor