

**CITY OF SILVERTON
CITY COUNCIL MINUTES**

Silverton Community Center – Council Chambers – 421 South Water St. and Zoom

March 1, 2021 6:00 p.m.

I. OPENING CEREMONIES – Call to Order & Roll Call

Mayor Palmer called the meeting to order at 6:00 p.m. Mayor Palmer and City Clerk Angela Speier attended in the City Council Chambers. The rest of City Council and staff were present through the virtual meeting platform Zoom. Mayor Palmer explained this meeting is being held through Zoom pursuant to House Bill (HB) 4212.

Present	Absent	
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 Pro Tem, Bob Willoughby; Chief of Police, Jim Anglemier; Community Development Director, Jason Gottgetreu; Finance Director/Deputy City Manager, Kathleen Zaragoza; Public Works Director, Petra Schuetz; City Engineer Bart Stepp; Assistant to the City Manager/HR Coordinator, Elizabeth Gray; and Assistant to the City Manager/City Clerk, Angela Speier

II. STATE OF EMERGENCY DECLARATION

2.1 Resolution No. 21-04 – Ratifying the Mayor’s State of Emergency Declaration

Councilor Miller made a motion to adopt Resolution No. 21-04 ratifying the Mayor’s state of emergency declaration. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (7-0).

III. APPROVAL OF MINUTES

Councilor Freilinger made a motion to approve the minutes from the regular meeting held on February 1, 2021 and the special meeting held on February 10, 2021. Councilor Smith noted she will be abstaining from voting on the February 10, 2021 minutes due to her absence from the meeting. Councilor Neideigh seconded the motion. There was no discussion and the motion approving the February 1, 2021 minutes passed unanimously (7-0) and the motion approving the February 10, 2021 minutes passed unanimously (6-0), with Councilor Smith abstaining.

IV. OATHS OF OFFICE/PUBLIC RECOGNITION

4.1 Mayor's Award for Civic Engagement – Charles Baldwin

Mayor Palmer presented the Mayor's Award for Civic Engagement to Charles Baldwin for his continuous efforts to make Silverton more sustainable and improve its quality of life through his work on Sustainable Silverton, the Eastside Trail Committee, the Bicycle Alliance, and the Parks and Recreation Task Force.

V. PUBLIC COMMENT

Eric Hammond a horticulturist said the storm has caused great damage to trees within the city, but specifically the Oak trees have sustained the most damage and caused the most damage. He said they define the City's urban canopy while most of them cannot be replaced he would like to see the City begin to plant seedling Oregon Oaks. He has surveyed more than 3,800 trees since the storm and the damage they received. He noted there are approximately 60 young Oregon Oak trees in Silverton and 84 percent of them were fine with no damage. He said this type of tree takes years to grow and are less likely to break apart and cause the same amount of damage an older Oak does. He feels the City should begin replanting replacements for the canopy loss.

Councilor Smith voiced her interest and asked if Mr. Hammond had a proposal of how the City could begin this process. Mr. Hammond has reached out to various organizations to see what programs Silverton could utilize, but typically the programs apply to larger acreage or publicly owned areas with conservation easements. He said there might be a shortage of seedlings as well due to the recent fire damage, but the Soil and Water Conservation District might have some available. The first step would be finding a place to grow them and then in the future the City could develop a program for planting the trees on City sites and allowing individual property owners to plant them.

Councilor Freilinger thanked Mr. Hammond for bringing this to City Council's attention and noted his excitement for this type of program. He would like to see the City look into this idea and hopes Mr. Hammond will continue to be a resource.

VI. SCHEDULED PRESENTATIONS

6.1 Silverton Skate Park Update

Mayor Palmer introduced Dakota Becerra and Ethan Piaskowski who presented the Phase II Skate Park design and with them was Sue Roessler who has been a huge cheerleader for the park. Mr. Becerra said they would like to add ditch features to the side of the park, because it is good for beginners who are just learning the sport. He said the passing of Jason Franz really motivated him and others to honor Mr. Franz's legacy by expanding the park for all individuals' interested in learning how to skate. In addition, they would also like to see lighting installed at the park and asked the City Council for their financial support for this aspect of the expansion. Mr. Piaskowski described the specific features they plan to add to the park, including a flat area for beginners with a bench for parents to sit. The bench will include a small plaque with one of Mr. Franz's favorite sayings. There will also be a flat bar for learning how to skate handrails. He said the ditch feature would attract a lot of people to Silverton, because there are not that many in the state.

Councilor Cuellar Sutton said she was friends with Mr. Franz and what they are doing to honor him is amazing. She asked if they had an idea of what it would cost for the lighting project. Mr. Becerra thought the cost would be at least \$7,500-\$8,000. Councilor Miller noted the lighting would not only benefit the skaters, but could act as a deterrent to unwanted activities in the area.

Community Development Director Jason Gottgetreu further explained the lighting choices including an overhead option where PGE would pay for the installation of the wood poles and powerlines. The City would have to pay for the power and the monthly rental charge. However, if the City wanted to remove the poles down the road it would cost \$7,500-\$8,000 plus whatever the cost is to underground the power and provide the decorative light posts. Discussion ensued on this option and City Council would rather see the more permanent solution of undergrounding the power with decorative light poles, because this is a gateway into to Silverton. Public Works Director Schuetz noted it costs approximately \$150 per foot to underground powerlines. City Manager Pro Tem Bob Willoughby said a plan needs to be submitted for

the expansion and urged a lighting plan be included with the construction documents. This could include alternate proposals for the undergrounding and the overhead options. Mayor Palmer asked if the City still has the decorative lights it purchased from the City of Wilsonville and Director Schuetz acknowledged the City still has a couple. Councilor Sears commended the speakers for their hard work on fundraising and said he is excited about the beginner area. He supports undergrounding the power at the same time of the expansion. He said more details about the design and its cost could help raise additional money for the lighting. He noted park and urban renewal funds could help pay for the project as well. Jane Jones an attendee spoke in favor of undergrounding the power. Councilor Smith said a more temporary solution is not an approved standard per the City's development code. Since this not what is required of private developers it is not appropriate for the City to be suggesting this type of solution for more than one year.

6.2 HB 2743 Municipal Banks – Rick Staggenborg and Scott Shurtleff, Oregon Public Bank Alliance

Rick Staggenborg and Scott Shurtleff summarized the information about the formation of municipal public banks. HB 2743 establishes a legal framework for Oregon cities to create public banks by themselves or in partnership with other municipalities and local credit unions. The presenters explained one of the major benefits of municipal banks is that they keep the money local. Councilor Freilinger thanked the presenters and clarified they are asking for City Council to support HB 2743 in the Oregon Legislature.

6.3 Silverton Chamber of Commerce Monthly Update – Stacy Palmer

Stacy Palmer, Executive Director of the Silverton Chamber of Commerce thanked City staff, especially Public Works, for their response to the ice storm and how quickly they rallied to support the residents and businesses in Silverton. She said Marion County is now in the High Risk Category in regards to COVID-19 restrictions. This has allowed restaurants, gyms, and indoor entertainment businesses to serve patrons indoors with a limited capacity. She reminded everyone to stay vigilant in the fight against the virus and support local businesses. She said so many businesses stepped up during the ice storm to provide meals, shelter, water and heat. Lastly, she thanked the City Council for allowing peer and community panels to participate in the City Manager interview process.

VII. PUBLIC HEARINGS – None scheduled

VIII. DISCUSSION/ACTION ITEMS

8.1 Civic Center Project Update

Community Development Director Jason Gottgetreu explained the design team is finalizing the design development set and will be presenting an updated cost estimate. Staff is asking City Council to direct staff to solicit funding for up to \$12 million and bring back cost proposals for Council approval. In addition, City Council will need to direct staff on which construction method they would like to go through, currently the design team is recommending the Design, Bid, Build (DBB) method.

Cathy Bowman and Jeff Humphreys with Mackenzie Engineering, Inc. presented the updated design development set and the revised cost estimate. Ms. Bowman reviewed the updated site plan, floor plans and elevations. She said the design team has been working on the aesthetics of the building and ensuring the secure fencing for the Police Department meets Development Code Design Standards. She said the cost estimate located in the City Council packet were preliminary numbers, because the team continues to refine the numbers through value engineering. Ms. Bowman walked City Council through the cost estimates and add alternates for the project. The total cost for the project is estimated to be \$17,921,062 - \$18,460,522. Ms. Bowman reviewed the cost adjustments and value engineering savings the design team has been discussing.

Councilor Smith noted there will be some cost savings to the FF&E total because the entire building does not need to be furnished up front. She asked about the location of utilities and where they will be coming into the site. Ms. Bowman noted the cost of utility relocation has not been fully captured in the cost estimate. Councilor Smith explained the likely changes that will need to be made to the utilities including some undergrounding of telecommunication lines. She further explained the location of a new bus stop is not accounted for in the cost estimate.

Councilor Smith also asked about the escalation factor associated with the DBB method as compared to the CM/GC method, because the CM/GC method could start six months earlier. Ms. Bowman said the estimates are based on staff's preference to start construction in the spring of 2022. Mr. Humphreys explained the timing is largely based on the weather and staff needing more time to prepare bid documents and contractor selection. He walked City Council through the proposed schedule based on each construction method and reviewed the pros and cons with each. Overall the CM/GC method would result in construction beginning about four months earlier than the DBB method, but would likely result in a higher cost.

Councilor Sears asked about the plans for the intersection on Front and A Streets, because it will not work very well with the placement of the building. He would recommend closing Front Street and maybe reconfiguring A Street as well.

Councilor Freilinger made a motion to direct staff to solicit funding for up to \$12,000,000 for the construction of the project and to bring back to Council for approval and authorization. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0).

Councilor Freilinger made a motion to direct staff to proceed with the Design, Bid, Build (DBB) construction method. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0).

City Council took a break at 7:53 p.m. and returned to regular session at 7:59 p.m.

8.2 Developer request to consider acquiring and developing a pocket park as part of the Pioneer Village Phase VI Subdivision

Mayor Palmer noted written testimony on this agenda item was submitted by Mark D. Shipman (attachment 1).

Lee Brennan with Project Delivery Group said page 108 of the City Council packet shows the two tracts of land the developer is looking to place a park on. The developers received input from neighbors wanting a pocket park in the area. He explained they went before the Planning Commission in order to get land use approval. The Planning Commission reviewed the request and approved the modification with the recommendation that City Council consider the park option. Mr. Brennan is proposing they go through a community outreach process before approval. He said tonight they are asking if City Council is interested in building a park at this location and if so what would be the budget for the project. He referred to written materials he submitted prior to the meeting (attachment 2) which was the parks portion of the 2019 SDC Methodology Update. He explained this report shows the City has a deficiency of pocket parks. He noted in the current Parks Master Plan CIP the development of Pioneer Village park is identified under the pocket parks of the document showing there might be funds available for this type of development. He reviewed how much of the project could be eligible for SDC funding. Councilor Freilinger said it would be helpful to have a visual of where this park would be located within the current development. He said looking at it from a City perspective there is a big beautiful park in Pioneer Village already and there is also a tract of land just south that was donated to the City for the development of another large park. He said if this were approved that would mean there would be three parks in one neighborhood while other areas of town are highly deficient of park space. Mr. Brennan explained the proposed location is in the northeast portion of Pioneer Village.

Director Gottgetreu explained the Planning Commission approved a major modification application increasing the number of lots in the Pioneer Village Phase VI Subdivision from 36 single family detached lots to 37 lots with two tracts for parks and open space pending an acceptable agreement with the City. If the park space is not agreed on there would be 38 single family detached lots, including one flag lot. The Planning Commission approved both options with the request City Council consider the potential to add a pocket park as part of the subdivision. He reviewed a map of the current and proposed subdivision pointing out the current open space and possible future space.

Director Gottgetreu explained the Parks and Recreation Master Plan was completed in 2008 and the update is on hold pending the outcome of a Parks and Recreation District. This plan does not recommend any additional pocket parks smaller than two acres in size. The smallest park type the Master Plan recommends is a neighborhood park, which is typically 5-10 acres in size. The tracts discussed tonight are about 0.3 acres. In addition, he said the 2019 CIP does not include money for land acquisition for the development of pocket parks; this could change through the Parks Master Plan update. The City would have to pay for the park which is estimated at \$485,000. Staff is recommending City Council not move forward with the proposal due to the lack of documentation within the long range planning documents that would support adding the proposed park area to the CIP and because the Parks and Recreation Master Plan does not recommend acquiring additional land for pocket parks.

Mayor Palmer thanked the developers for the offer of dedicating park space, but he does not want to spend money on an additional park so close to one of the better parks in Silverton. Councilor Sears made a motion directing staff to take no further action on the park proposal. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously (7-0).

8.3 COVID-19 Update

City Manager Pro Tem Bob Willoughby noted Marion County has been downgraded to the High Risk category. Today City Hall reopened to the public for limited hours (9 am-1 pm). The Silverton Municipal Pool has reopened and the cover was partially removed to allow for better air flow. In addition, the Community Center Gym has opened for Jazzercise and Pickleball with a maximum of 25 people six feet apart. Lastly, he provided an update on the vaccination totals and case numbers.

Councilor Smith asked staff to check on the timer for the pool lights.

IX. CONSENT ITEMS

Councilor Smith made a motion to approve the consent agenda consisting of agenda items 9.1 and 9.2. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0).

9.1 Approval of Abiqua Creek Intake Study

9.2 Resolution No. 21-05 – To increase appropriation authority related to the Ice Storm Event

X. APPOINTMENTS TO COMMITTEE AND ADVISORY GROUPS

10.1 Resolution No. 21-06 – Creating a Diversity, Equity, and Inclusion Task Force

Mayor Palmer provided an update on the progress creating this Task Force, but he would like more time to vet applicants. He asked for this item to be taken up during the April 5, 2021 City Council meeting. Councilor Freilinger asked how many individuals will be added to the Task Force. Mayor Palmer said there are five members currently serving on the Civic Center Equity and Inclusion Task Force and he is looking to appoint four more individuals. The chair position could serve as the tenth member; currently he is acting as the chair, but not participating as a member of the Task Force. Councilor Miller asked if one of the tasks for this Task Force could include a review of policing policies and how those impact the BIPOC community. Mayor Palmer said without question this Task Force could look at that item. The goal is to look at all City functions as they come before City Council either new or changing policies.

XI. CITY MANAGER UPDATE

City Manager Pro Tem Willoughby said Steve Starner's last day at the City was February 28, 2021. The City nominated him for the League of Oregon Cities Herman Kehrli Award and will be renaming the cooling ponds at the Oregon Garden as a tribute to his work. He provided an update on storm recovery efforts. He thanked the City staff for their efforts working through the emergency after the storm and now through the recovery phase moving forward. He also thanked the Silverton residents for their patience and generosity in helping each other through this major event.

Councilor Smith asked about status of the trees in Coolidge McClaine Park and the hanging limbs of the larger Douglas Fir and Sequoia on the Eugene Field site. City Manager Pro Tem Willoughby noted the City is forming a Storm Recovery Crew, consisting of two to four people, who will spend all their time cleaning the right-of-way areas. This will allow the Public Works staff to spend more time cleaning up parks and the Eugene Field site. An arborist will be assessing the trees at the parks. Councilor Miller asked if there is an opportunity for volunteers to participate in some of the debris removal. Public Works Director Schuetz suggested people help their neighbors on private property due to liability concerns on public property. Councilor Cuellar Sutton asked if the City is allowing people to take some of the wood to be used as firewood. City Manager Pro Tem Willoughby said the City is discouraging people getting into the pile right now, but will try to set aside bigger pieces of wood for residents as the contractor works to clean up the pile.

XII. COUNCIL COMMUNICATIONS

Councilor Freilinger thanked City staff, the utility workers (especially PGE) and all the people helping each other through his neighborhood. He wanted to gauge City Council's interest in pursuing two of the topics heard tonight. First the idea of developing seedling Oregon Oaks and City Council was agreeable to pursuing some type of program for this. Mayor Palmer said he is not against it, but wondered if it would be better done by an organization sponsoring it. Discussion ensued on how the City could participate in some fashion, including providing land for a nursery and replacement in our parks. The second item was the Municipal Banks and City Council decided to take no further action on this topic.

Councilor Sears met with Republic Services in order to line up the information needed for them to look into the true up of garbage rates. In addition, they discussed the operation of the Recycling Center and he will update the Environmental Management Committee about their discussion at the next meeting. Lastly, he noted the dependence of society on electricity and the struggle the City had with getting generators for sewer and water operations. He would like to come up with a way to thank PGE for their efforts. In addition, he does not know if the residents know the vulnerability of the City's systems and what it took for the Public Works crew to keep them operating. He suggested highlighting these efforts in the upcoming City Newsletter.

Councilor Neideigh gave a heartfelt thanks to City staff, PGE, residents who helped each other and the local businesses likes Roth's and Wilco who opened their doors while on generators.

Councilor Cuellar Sutton echoed the other Councilors and thanked Public Works. City Manager Pro Tem Willoughby thanked the Police Department who also went above and beyond doing welfare checks and staffing the debris site.

Mayor Palmer said he couldn't believe the devastation that occurred at Coolidge McClaine Park. He said the PGE crews were incredible and thanked their CEO and Government Affairs Director for reaching out to him immediately after the storm happened. He said the police were doing welfare checks routinely and Strong Silverton also referred people in need to the department, so there were a lot of residents being checked on. The initial debris pile at the Oregon Garden was the brain child of staff and Ken Hector on behalf of OGF. He said it was an incredible showing of support and thanked the restaurants that opened their doors for warming. He thanked Jason and Karyssa Dow who cooked meals for an entire week for people who needed them. He thanked Travis Sperle who was single handily removing hazardous branches from the frozen trees on Main Street well into the night. So not only was Public Works working hard, but they were working hard with fewer numbers than normal. He also thanked City Manager Pro Tem Willoughby and Deputy City Manager/Finance Director Kathleen Zaragoza for their leadership and decision making, as well as the Communications Team who made daily posts to keep residents informed. He said Strong Silverton was formed to remind people about the neighborhood connection and they are now pivoting to discuss how the group can look into emergency communications when neighborhoods are isolated in a disaster.

XIII. EXECUTIVE SESSION

Mayor Palmer read the script and City Council entered into Executive Session under ORS 192.660(2)(a) to consider the employment of a public officer, employee, staff member or individual agent at 9:15 p.m. City Council returned to regular session at 10:52 p.m.

13.1 If necessary, take action on any matter discussed or deliberated on during the Executive Session

Councilor Miller made a motion naming Ron Chandler and John Williams as the two finalists for the City Manager position and directed staff to schedule a virtual community forum sometime during the week of March 8-11th for community members to provide direct questions to the finalists. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously (6-0). Councilor Sears was unable to get sound coming back into the regular meeting.

XIV. ADJOURNMENT

Councilor Freilinger made a motion to adjourn and Mayor Palmer adjourned the meeting at 10:56 p.m.

Respectfully submitted by:

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