

CITY OF SILVERTON
CITY COUNCIL MINUTES

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

March 4, 2019, 7:00 p.m.

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

Mayor Palmer called the meeting to order at 7:21 p.m.

Present	Absent	
<u> X </u>	<u> </u>	Mayor Kyle Palmer
<u> X </u>	<u> </u>	Council President Jason Freilinger
<u> X </u>	<u> </u>	Jim Sears
<u> X </u>	<u> </u>	Matt Plummer
<u> X </u>	<u> </u>	Dana Smith
<u> X </u>	<u> </u>	Laurie Carter
<u> X </u>	<u> </u>	Crystal Neideigh

Staff Present:

City Manager, Christy Wurster; Chief of Police, Jeff Fossholm; Public Works Director, Petra Schuetz; Community Development Director, Jason Gottgetreu; Finance Director, Kathleen Zaragoza; Assistant to the City Manager/HR Coordinator, Elizabeth Gray; and Assistant to the City Manager/City Clerk, Angela Speier

II. APPROVAL OF MINUTES

Councilor Freilinger made a motion to approve the minutes from the Joint Work Session with Silver Falls School Board on January 28, 2019, the Regular Meeting held on February 4, 2019 and the Special Meeting on February 6, 2019. Councilor Smith seconded the motion. Mayor Palmer noted that the word “here” should be changed to “hear” on page 1 of the February 4, 2019 minutes. There was no further discussion and the motion passed unanimously as amended.

III. OATHS OF OFFICE/PUBLIC RECOGNITION

3.1 Introduction of Mike White, City Engineer

Public Works Director Petra Schuetz introduced Mike White the new City Engineer to City Council. The City Council welcomed Mr. White to Silverton.

IV. PUBLIC COMMENT

There was no public comment.

V. SCHEDULED PRESENTATIONS

5.1 Silverton Chamber of Commerce Monthly Update – Stacy Palmer

Stacy Palmer, Chamber Executive Director distributed her monthly report. Ms. Palmer reviewed the points of contact and new Chamber members. She invited Council to join them at the Silverton Business Group

that takes place every Wednesday at 8:00 a.m. at 310 Water Street. Each week students from the Business Management Class at Silverton High School will be promoting their individual businesses they've created as part of their class. She invited everyone to participate in the Chamber Classic Golf Tournament taking place Friday, May 10th at Evergreen Golf Course. The Chamber has ordered 72 flower baskets this year and the more money they can fundraise the longer the baskets will stay up. The goal is to have them up through the end of September. The Chamber would like to incorporate basket hooks on any new poles that may go up on McClaine Street as part of the renovation and streetscape. She attached the weekly report from the Oregon State Chamber of Commerce regarding legislation that they are tracking. Lastly, she reminded everyone that the Pet Parade will be taking place on Saturday, May 18, 2019.

5.2 Highway 214 and South Water Street Project – AJ Blair, ODOT

Andrew Blair, ODOT Project Manager and Lisa Nell, ODOT Area 3 Manager introduced themselves to Council. Mr. Blair distributed a fact sheet that provided an overview of the project and directed Council's attention to four exhibits. He explained that the project (KN: 1875) is to install sidewalks and bike lanes from Smith Street to Pioneer Drive. The fact sheet highlights the project history and timeline. At the end of the fact sheet there is a summary of the cost estimates including three alternatives, which have been discussed previously. There was a meeting in September to take a look at the design progress and the three options which were developed knowing that the project was over budget. ODOT staff has looked at the costing in detail since September and recognized that there are more cost overages than stated previously. Those estimated overages are listed at the bottom of the table.

Mr. Blair reviewed the first alternative listed in the fact sheet. The project starts at Smith Street and ends at Pioneer Drive with sidewalks and bike lanes on both sides. This is the originally scoped project and is estimated to cost \$9 million which represents an approximate \$7 million shortfall. The second alternative was to develop only the east side sidewalk and bike lanes. That was in effort to reduce the scope and bring the project closer to what might be affordable; however, that project is coming in at \$7 million which is a \$5 million shortfall. The third alternative was an attempt to fit the remaining budget into a project that could be delivered with the amount of funds remaining. That project is sidewalks and bike lanes on both sides from Johna Lane to south Silver Loop. This alternative is estimated to cost \$4 million and is \$2 million over budget.

Councilor Carter indicated that she originally ran for City Council in 2010, because of living in Pioneer Village and walking into town realizing that there was no way for kids to get into town on a sidewalk. She asked why the City can't just have a sidewalk from Pioneer Village into town, which is really all that the City Council wants. She said that kids could ride their bicycles on the sidewalk. Mr. Blair explained that the funds are MTEP funds which need to be spent on road improvements in addition to pedestrian improvements. He explained that on-street parking in the design requires the road be widened and competes with the need for sidewalks and bike lanes. He explained that this is the inherent conflict with this design. The concept is from 2012 and ODOT has tried to carry that forward, but understanding what they know now with the emphasis on pedestrian safety, bike lanes, and sidewalks the design would not look the same as it does now.

Lisa Nell said that the sketches before Council are from the City's Transportation System Plan (TSP). Everything that ODOT does has to be in concert with the City's TSP, so those documents are done through a vetted planning process. Councilor Carter indicated that she was involved with that process, but one of the issues with that planning process was that it didn't factor in the cost of the projects and didn't ask if all the money wasn't available how the design would be different. She said if they were able to start with knowing the amount of money available, the project would be completely different and Councilor Smith added that it would likely be finished by now. Ms. Nell indicated that the sidewalk could potentially be funded through ODOT's Safe Routes to School Program. She explained that this project was funded with enhanced funding also called modernization funding. That funding is to actually modernize a stretch of highway and when ODOT does that work they include sidewalks, curbs, gutters, and American with Disabilities Act (ADA) treatments. She further explained that the funding packages are different and they have different criteria, which is why Council is seeing this particular project being designed to the level that it is.

Councilor Sears asked if there was a way to use the funding allocated for this project to fund only the sidewalk portion. Ms. Nell responded that this project was part of the process that was vetted through the ACTs, so the original intent and scope of the project would need to be adhered to. The alternatives presented to Council adhere to the original scope just somewhat modified in the last two alternatives. Councilor Sears expressed his disappointment and stated that it appears that this project was under scoped and it is also disheartening that it took so long. He voiced his frustration that to-date all that has been done on the project has been some surveying and preliminary engineering which will go by the wayside if the City doesn't come up with several million dollars because of the way that the agreement is written with ODOT makes the City responsible for any overage. He asked if there are any other jurisdictions who are suffering the same plight where there was under scoping done and now they are faced with if they can do the project or not. Ms. Nell responded that there are other communities in a similar situation and some have elected not to pursue the project due to the overage and knowing that they couldn't afford it or didn't want to commit to the project in fear of cost escalation after the final design process. ODOT has also had cities put millions of dollars into projects in order to make sure that it will be adequately funded.

Ms. Nell believes that the majority of the overage has to do with the ADA settlement, because the originally scoped project did not adhere to the new requirements related to ADA and now has to be engineered differently. She said that ODOT has gotten a little better since the settlement was completed and the costs aren't as high as anticipated which was at one point over \$50,000 per intersection. Those costs went up demonstrably because the technical aspect became extremely refined and every single ramp has to be exact. The settlement also added time and energy to the actual work zone treatment, meaning that every time the crews have a construction project ODOT has to make sure that they build some type of area for pedestrians to pass, including people in wheelchairs and people that are visually impaired which increases the cost of design and the time spent during construction. She also indicated that new stormwater and hazmat regulations have caused the cost of this project to increase as well. Whenever a law changes ODOT has to accommodate that.

Ms. Nell said that ODOT is in what is called a B code on this project currently, because all PE funds have been exhausted and there is no money left in the design. Soon after the project went into B code the engineer stopped work on it and took a different job, so the project had no designer and no engineer. She explained that ODOT has also seen an escalation in their bidding due to the passage of HB 2017, the Transportation Funding Package. A number of other states also passed large funding packages making it a very competitive market, so not only has the price of asphalt increased, but so has the actual cost of pouring the concrete. Councilor Sears said that the Silverton project went from \$2 million to \$9 million which is quite an increase. He asked if there are any other programs that she is aware of that this project could be resubmitted to, in order to come up with the funding so that the community could have the project that they felt they were going to get. Ms. Nell said that she is not aware of something that could fund this specific project the way that it was scoped originally, but the Safe Routes to School looks at funding for bike/pedestrian facilities if it is within a ½ mile from a school. Councilor Sears said that this project is not within ½ mile to a school. Councilor Sears asked if there is any way a sidewalk only could be funded. Ms. Nell said that she can't think of anything where ODOT would just be able to design and build a sidewalk other than Safe Routes to Schools.

Councilor Smith asked staff when the City applied for grant funding for this project. Community Development Director Jason Gottgetreu said that he thought it is was in 2011 or 2012 and they applied through the Enhance It Program. Ms. Nell explained that HB 2017 shifted ODOT's programs and a sunset was placed on enhanced funds, so that program is no longer available. Ms. Nell reviewed the three project alternatives again and directed Council to the fact sheet where the estimated cost overages were located. She explained that per the intergovernmental agreement (IGA) signed in 2015 the City is responsible for providing a match of half of 10.28 percent of the enhanced funds and any overages. ODOT agreed to pay for half of the match at the time the IGA was signed, so the City has to pay a little over five percent. Mr. Blair explained that they have two phases, the PE phase for preliminary engineering and a CN phase for construction. They have exhausted the PE phase for which ODOT and the City provided a match amount at the rate of 10.28 percent totaling approximately \$200,000. Currently there is \$1.99 million in the construction phase remaining. So when you look at the table in the fact sheet

the estimated total project cost is the total project cost, including additional PE, right of way, reimbursable utility cost, and construction. Councilor Smith asked if the total project cost includes what the City has paid already in engineering fees. Mr. Blair said that it does not include that amount. The money that the City and ODOT has already paid is gone. What the City has now is \$1.99 million in the CN phase that is the difference between the total project cost and the estimated overage that is listed on the fact sheet. Ms. Nell said that they can provide more information on this to make it clearer. Councilor Smith said just to reiterate what Councilors Sears and Carter have said, she would really like to go to a basic sidewalk project, because that is what the community needs.

Councilor Carter said that alternative three for her is simply out. The whole point was to connect Pioneer Village to town, so to spend a lot of money doing something that the City doesn't really need is out of the question. The project started in 2011 and kept getting pushed back making the City's match less and less viable and it is terribly disappointing. The City still has this community out there without safe access to town.

Councilor Freiling asked if there is any chance to discuss an alternative four, meaning that the City is approved for \$2 million and there are two scopes that shrink the size of the project. Could the City get a \$2 million project just doing east side improvements? Ms. Nell said that is something that they can take a look at; she doesn't know what the designer would say. Mayor Palmer said that it feels like at some point in time ODOT determined that this project was something that they weren't going to be able to spend money on. The development of this project over time has created a package that the City can't buy. He can't believe that any community would be able to scrounge up an extra \$2 million and in this case for a project that would be essentially someone driving down south Water into an improved two block road and then back into no connectivity. Not only would this not help the City, but would make Council look stupid in the eyes of the citizens.

Mayor Palmer asked if half a street improvement would be allowed under the original scope. Ms. Nell said that they may be able to go curb-to-curb with the asphalt and then do a sidewalk on one side. Thus the City would have to fund a full street improvement with at least a sidewalk on one side. Mayor Palmer asked why Council wasn't apprised of the ADA settlement when an ODOT representative attended a meeting in 2016 and reviewed the project. Mr. Blair responded that he can't speak to the timing of when the ADA came in, but ODOT knew that they were in need of right of way before December 2016. There are 26 ramps that would be fixed as a part of this project considering full scope development. Mayor Palmer said that he realizes that none of this is Mr. Blair or Ms. Nell's doing personally, but from his stand point it gets tiring explaining to residents that everything can't get done because of a different jurisdiction's control of the roadways that go through town.

Councilor Smith asked knowing that what the City wants is a sidewalk (i.e. pedestrian access) to Pioneer Village and ODOT's ultimate responsibility is the roadway, at what point does ODOT take full responsibility for the cost of the roadway. Ms. Nell responded that the road is ODOT's responsibly, but when ODOT does work they can't just go through and focus solely on the highway. They have to look at the treatment all the way, including sidewalks, ADA ramps, and parking. It is more than just ODOT paving. They have to take everything into consideration including curb, gutter, permitting, drainage, stormwater treatment, and utilities. As far as the funding goes this project went through a competitive vetting process with all the ACTs and that is how it was selected. She reiterated that type of funding source is gone. The majority of the funds are now selected by the legislature.

Mayor Palmer said that he recognizes that it is ODOT's responsibility moving vehicles down the highway primarily. What the community needs is a sidewalk. The problem in this instance is that ODOT's road is being used as a sidewalk and it is a serious danger; there are a lot of kids on it. At some point it has to get taken care of.

Councilor Sears asked if the City decides not to go ahead with the project what would happen to the roughly \$2 million that is dedicated for this project. Ms. Nell responded that at this point she doesn't know. He said that he wondered if it would go to fund another jurisdiction's project since they are in the same area. If that is the case he inquired whether Silverton could utilize the funds from another jurisdiction who

cancelled their project. Ms. Nell couldn't respond as to where the \$2 million would go. Councilor Sears said that he would be interested in knowing if others have backed out where those funds went and if they could be utilized for this project. Ms. Nell said that she would follow up with Councilor Sears.

City Manager Christy Wurster asked what funding source the \$1.9 million that ODOT has set aside for the project comes from. Ms. Nell said that the funding source is enhancement funds, just because the program went away doesn't mean that it changes the scope of the program. It means that there are no additional funds being put into the program, because it has been cancelled.

Mayor Palmer asked how far the City could get if there were minimal road improvements and a sidewalk on the east side only for the amount of money that was originally budgeted. He would like that information before making a decision. Mayor Palmer requested that the follow-up information be sent to the City Manager. Councilor Sears said that he appreciates Representative Lewis being in the audience and listening to the dialogue and interaction. He is hopeful that he will look at other options through the legislative process to see if this project can be revived. He said that before City Council makes a decision it would be good to see what happens in that avenue as well.

City Manager Wurster added that staff met with Jody Christensen, the City's Regional Solutions Representative and discussed this project with her today.

5.3 Republic Services Update

Council took a break 8:30 p.m. and returned to regular session at 8:36 p.m.

Julie Jackson, Municipal Manager; Jay Lawson, Operations Manager; and Drew Spainhower, Contract Administrator presented a PowerPoint presentation to City Council. Ms. Jackson reviewed a number of national awards that Republic Services has received since 2017 and the economic impact that they have to the State of Oregon.

Mr. Spainhower reviewed the collection data for Silverton. Republic Services performs 10,203 residential lifts per week. He reviewed a graph that shows how much material was flowing to China from the United States in 2017 versus 2018 when China Sword was introduced. It has been difficult to move materials which attributed to the material list changes. He explained that consumers face tough choices when purchasing items, because some packaging that seems more environmentally friendly can't be recycled when you get it home. Councilor Carter explained a lot of residents are confused on what can and cannot be recycled, herself included, which has caused her recycling to really go down. She said that her daughters in Camas and Beaverton can put a lot more in their recycling bins than what is allowed in Silverton. Mr. Spainhower said that a lot of Metro cities adopted surcharges to negate the cost of the recycling disposal. He said that Republic Services used to get paid \$40-\$60 per ton in 2016 and 2017 and now is now paying anywhere from \$40-\$120 to offload the same materials. Ms. Jackson explained as recycling markets open back up they will likely add material back. They want to know that the markets will be "forever markets" and they won't have to remove the same material 5 months down the road. Mr. Spainhower said that they are looking into allowing number 5 plastics to be recycled at the Depot, but they need to ensure that the materials will have a continuing market into the future. He reviewed the materials that were never accepted into the recycling program.

Mr. Lawson thanked his drivers in attendance tonight. He said that currently they send 15 drivers into the City of Silverton and four of their employees are Silverton residents. The average driver tenure is 20 years. He reviewed the sponsorships and in-kind donations that Republic Services provides to the City of Silverton. They are involved in a number of festivals and just approved a partnership with the Silverton Senior Center. They want to be a good neighbor and be a good partner in the community and ask Council to direct staff to pursue a franchise renewal negotiation with Republic Services.

Mayor Palmer thanked Republic Services for their support in the community. He asked about a complaint that was received by the City earlier today regarding a \$30 extra charge on a customer's bill due to a McDonald's cup found in their recycling and how items like that are caught. Mr. Lawson explained that there is a hopper camera on the trucks that allow the drivers to see the material as it goes past the

camera into the truck. He said that in cases like that the entire load is then contaminated. He explained that the materials still find their way to a processor to be sorted, processed, and the commodities that can be sold are sold. The problem is Republic Services has to pay the processors. The contaminated materials slow down the processing times and can result in the need for additional workers. The contamination fee is charged to help offset the increased cost for processing and to incentivize people to follow the material list. Mayor Palmer said that it is not a secure system, due to the cans being on the curbside and homeowners not having complete control over the cans in the early morning. Councilor Carter asked if warnings are given out prior to assessing a fine. Mr. Lawson said a tag goes on the cart. She commended the drivers for their hard work even on holidays.

Councilor Sears asked the next time they present to Council it would be helpful for them to indicate the number of pounds per household. He said that it is interesting that the mixed organics went up and the garbage went down. He also said that recycling went down which is not the direction that we want to be going. He asked about the franchise and if that would be the time that they would be submitting a rate proposal. Mr. Spainhower indicated that at this point the best situation would be to combine the franchise agreement and a rate proposal together. Councilor Sears said that he is interested in seeing how the rates will be structured under the new agreement. He would like to see additional recyclable materials be allowed. He would also like to see rates structured on the service provided and not subsidized by commercial or vice-a-versa.

Councilor Plummer asked who dictates what goes into the bins. Mr. Spainhower said that the material list is set by Marion County, but in reality it is dictated by the material recovery places. Ms. Jackson explained that they are working behind the scenes to find markets that would allow them to take additional materials.

Councilor Smith said that there were some customer services issues regarding the call center and asked if all the calls are being fielded locally now. Ms. Jackson said about 60 percent of the calls are being fielded locally. She said that there are four people at the Woodburn office answering calls and two others doing data entry. In total they will have ten people at the Woodburn and Corvallis offices. She said they were able to hire these positions, because cities voiced their concerns. Councilor Smith asked if they could look into hosting an Oregon specific website. Ms. Jackson said that would be a great topic to discuss during the franchise negotiations. Lastly, Councilor Smith asked why they have not sent updated recycling calendars to their customers. Mr. Lawson said that those are being sent out by request. Councilor Sears reiterated that Silverton can tailor their recycling program to be the way that they want it and it doesn't have to be approved by Marion County.

5.4 Gordon House Annual Presentation – Bruce Brown

Bruce Brown, Chair of the Gordon House Conservancy presented the annual report of the State of the House. The City of Silverton owns the Gordon House and they have a conservation easement for the house. He said that 2018 was a good year with excellent attendance at 5,000 visitors. Those visitors equate to \$1 million being brought into the local economy. He reviewed a number of special events that were hosted at the house. He announced that this summer Thomas Lauderdale, founder of Pink Martini will be performing a community sign-a-long. They have been notified that the National Frank Lloyd Wright Conservancy's Annual Conference will be held at the Gordon House in 2022.

He said that financially they had a good year as well. The debt from the west balcony reconstruction was retired this year and they were able to add modestly to their endowment fund. They received a \$50,000 grant to fund the site manager position. He said that HR is the Gordon House's largest expense and biggest financial challenge; this grant will fund the position for the next couple years. He said a long term goal is to hire an Executive Director to get more corporate donations and be the face of the house.

Mr. Brown is asking the City to renew the \$3,500 allowance to cover their utilities bills for 2019-2020. Last year the City granted an additional \$1,500 to add security cameras which they are hoping to finalize a contract in the next month or so. He said that they are also planning to add to the lighting in the parking area. One of their 2019 goals is to strengthen the ties between the Gordon House and the Silverton community. Silverton residents get a 75 percent discount to tour the house. He said that this is the only

Frank Lloyd Wright home in Oregon and the only property open to the public north of San Francisco. Lastly, he thanked Mayor Palmer for co-signing a letter to Frank Gehry inviting him to be the guest speaker at the Gordon House this year. Mayor Palmer requested a copy of their annual budget for Council to review.

VI. PUBLIC HEARING

6.1 Resolution No. 19-04 – Adopting a supplemental budget for EDA grant

Mayor Palmer opened the public hearing regarding Resolution No. 19-04, adopting a supplemental budget for an EDA grant at 9:39 p.m. There was no public testimony received. Public Works Director Petra Schuetz explained that a supplemental budget is needed to accept the EDA grant funds for the design and construction of a raw water transmission line from Silver Creek to the water treatment facility. Councilor Carter asked about the location of the pipe and Director Schuetz directed Council to a map of the pipe location on page 31 of the packet. Councilor Freilinger made a motion to close the public hearing. Councilor Carter seconded the motion. There was no further discussion and the motion passed unanimously and Mayor Palmer closed the public hearing at 9:52 p.m.

Councilor Carter made a motion to approve Resolution No. 19-04 and adopt a supplemental budget for the EDA grant. Councilor Freilinger seconded the motion. There was no further discussion and the motion passed unanimously.

VII. CONSENT AGENDA

There was no public comment regarding the Consent Agenda. Councilor Sears made a motion to accept the Consent Agenda consisting of agenda items 7.1, 7.2, 7.3, 7.4, and 7.5. Councilor Freilinger seconded the motion. There was no discussion and the motion passed unanimously.

7.1 Approval to award Engineering Services for Silver Creek Water Intake and Transmission Line

7.2 Approval to purchase a WWTP biosolids dewatering screw press from FKC Co. LTD.

7.3 Approval to award pavement contract to overlay Shops and Wastewater Treatment Facility parking lots

7.4 Resolution No. 19-05 – Increasing the appropriation authority related to legal costs

7.5 Resolutions to adjust Park Fee, Stormwater System Fee, and the Street Maintenance Fee by the City designated CPI

VIII. DISCUSSION/ACTION ITEMS

8.1 Ordinance No. 19-01 – Approving the Urban Renewal District expansion and direct that notice of approval be published

Community Development Director Jason Gottgetreu explained that Ordinance No. 19-01 includes the original expansion area discussed in January as well as the Jefferson Street right of way between 2nd Street and Mill Street. Councilor Sears said the map that was included in the ordinance includes the residential property that abuts Jefferson and Mill. He recalls having a discussion about not including any residential property, but when the motion was made that didn't get included. Mayor Palmer said that he remembers it being discussed, but he isn't troubled with adding the areas in, because the agency doesn't have to approve a grant request.

Councilor Freilinger made a motion to have the first reading of Ordinance No. 19-01, by title only. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously. City Manager Wurster read Ordinance No. 19-01 by title only.

Councilor Freilinger made a motion to pass Ordinance No. 19-01 on its first reading. Councilor Smith seconded the motion. Councilor Sears said that he is not in favor of the expansion, but will withhold his no vote until the second reading so it doesn't get held over for an additional month. There was no further discussion and the motion passed unanimously.

Councilor Freilinger made a motion to have the second reading of Ordinance No. 19-01, by title only. Councilor Smith seconded the motion. There was no discussion and the motion passed 6-1, with Councilor Sears voting no. City Manager Wurster read Ordinance No. 19-01 by title only.

Councilor Freilinger made a motion to adopt Ordinance No. 19-01 on its second and final reading. Councilor Smith seconded the motion. There was no discussion and the motion passed 4-3, with Councilors Sears, Carter, and Neideigh voting no.

8.2 Ordinance No. 19-03 – Amending Silverton Municipal Code Title 12 to add Chapter 12.16 on Sidewalks

City Manager Wurster explained that it was brought to staff's attention that this section of the code was inadvertently repealed through a former ordinance. Staff is asking for an emergency declaration to put this section back into the Municipal Code.

Councilor Carter made a motion to have the first reading of Ordinance No. 19-03, by title only. Councilor Smith seconded the motion. There was no discussion and the motion passed unanimously. City Manager Wurster read Ordinance No. 19-03 by title only.

Councilor Carter made a motion to pass Ordinance No. 19-03 on its first reading. Councilor Smith seconded the motion. Mayor Palmer asked if this is the original language that was repealed and staff responded it is. There was no further discussion and the motion passed unanimously.

Councilor Carter made a motion to have the second reading of Ordinance No. 19-03, by title only. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously. City Manager Wurster read Ordinance No. 19-03 by title only.

Councilor Carter made a motion to adopt Ordinance No. 19-03 on its second and final reading. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously.

IX. APPOINTMENTS TO COMMITTEE AND ADVISORY GROUPS – None Scheduled

X. CITY MANAGER UPDATE

City Manager Wurster asked for feedback on whether City Council would like to consider a hotel facility on the Westfield site. Staff is preparing the RFP and would like further direction from Council regarding that concept. Council discussed the idea and decided not to add that into the RFP parameters.

XI. COUNCIL COMMUNICATIONS

Councilor Plummer said that he would like to respond to the feedback that Council received regarding their FY 2019-2020 Goals. He said that Council does have a goal to complete and move forward with the TSP. In response to the document received some of the specific items go against the TSP goal and some of the items will be worked out once the TSP is completed and as the City moves forward with those projects.

Councilor Freilinger thanked everyone that provided feedback on the goals and encouraged participation. He explained that there are a lot of moving parts in the City and sometimes things have to happen in a specific sequence.

Councilor Carter asked to be excused from the April 1st meeting. She expressed that she would like to see the City negotiate a new franchise agreement with Republic Services. She doesn't want to see multiple companies providing the service and the complaints are largely due to the recycling which would happen regardless of the carrier. She said that she sent Council the Oregon Legislature's report on global warming and the report on what the City of Milwaukie is doing. The City of Milwaukie has hired a staff person to implement new programs, including: 1) focusing on their transportation system to reduce vehicle traffic; 2) energy efficient buildings; 3) increasing bus routes between neighborhoods; 4)

incentivizing planned development: 5) planting 22,000 trees; and 6) solar retrofitting. She hopes that as a goal for 2019-2020 the City would adopt a goal to move in the same direction. She reported that a group of teenagers from Eugene filed a lawsuit against the State of Oregon and federal government for not addressing global warming. She said that it is passing through the Supreme Court and was featured on 60 Minutes.

Councilor Neideigh said that she was contacted by a couple runners last week who are interested in rails to trails running options locally, because it is not safe running on streets without sidewalks. She would like to see the expansion of sidewalks for safety and connectivity reasons. She announced that the Victor Point Chili Feed will take place on Thursday, March 14, 2019.

Mayor Palmer said that he joins Councilor Carter in directing staff to pursue a franchise with Republic Services. He doesn't think that it is feasible for the City to switch carriers and to be able to ensure service in this time period. Staff could pursue a franchise for a shorter length of time. Councilor Plummer said that he would like to renew a franchise for the shortest length of time possible. Councilor Smith agrees and was wondering if there is any direction from Council on whether the EMC should be working with staff to ensure that the items the community wants to see get included in the new franchise. City Manager Wurster said that it would be helpful to hear from the EMC regarding specific ideas on what they would like to see incorporated in the franchise agreement. The EMC was established to review rate requests from Republic Services, which was an item that they talked about including in the franchise agreement. Councilor Freilinger is willing to consider a franchise renewal, but doesn't want to see just a boiler plate renewal. He would like to see specific expectations on service levels, more flexibility when it comes to dealing with the recycling market, and have it built into the agreement that the two entities work in partnership when making decisions. He also feels that a shorter term would be nice. He would like to go into a situation where there is not an auto renewal of the franchise.

Mayor Palmer gave a shout out to the Public Works crew who during the last Council meeting worked to fix a water leak on his street. They were working in the snow until 1:00 a.m. and back out in the morning. He also asked Chief of Police Jeff Fossholm to share a recent success in the Police Department. Chief Fossholm said that there was a mail fraud scam that started in Ohio, where a woman was scammed out of \$3,800. The suspects were located in Silverton and the Police Department was able to find the suspects, intercept the money, and return all of it back to the women in Ohio.

XII. ADJOURNMENT

Councilor Freilinger made a motion to adjourn the meeting and Mayor Palmer adjourned the meeting at 10:14 p.m.

Respectfully submitted by:

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