

**CITY OF SILVERTON  
CITY COUNCIL and PLANNING COMMISSION JOINT WORK SESSION MINUTES**  
**Council Chambers and Zoom Web Conference Platform**

February 28, 2022, 6:00 p.m.

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

Mayor Palmer called the meeting to order at 6:00 p.m. The City Council, Planning Commission and staff were present both in person, and through the virtual meeting platform Zoom. Mayor Palmer explained this meeting is being held in a hybrid format, pursuant to House Bill (HB) 2560.

<b>Present</b>	<b>Absent</b>	
<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>	Jess Miller
<u>  X  </u>	<u>      </u>	Dana Smith
<u>  X  </u>	<u>      </u>	Elvi Cuellar Sutton
<u>  X  </u>	<u>      </u>	Crystal Neideigh
<u>  X  </u>	<u>      </u>	Chairperson Clayton Flowers
<u>  X  </u>	<u>      </u>	Rich Piaskowski
<u>  X  </u>	<u>      </u>	Peter Matzka
<u>  X  </u>	<u>      </u>	Ammon Saboe
<u>  X  </u>	<u>      </u>	Morry Jones
<u>  X  </u>	<u>      </u>	David Castle
<u>  X  </u>	<u>      </u>	Tasha Huebner

**Staff Present:**

City Manager, Ron Chandler; Community Development Director, Jason Gottgetreu; Police Chief, Jim Anglemier; Public Works Director, Travis Sperle; Assistant to the City Manager/City Clerk, Traci Nichols.

**II. DISCUSSION ITEMS**

**2.1 – Comprehensive Plan Update**

City Manager Ron Chandler began the discussion by explaining that he and Community Development Director Jason Gottgetreu had spoken about how to best facilitate the [discussion of the Comprehensive Plan]. He stated they had identified 4 topics that both Planning Commission and City

Council had spoken on at one time or another. They thought using those as points of discussion, and including another section called "other items", where items not previously discussed in the talking points could be addressed would be best.

Community Development Director Jason Gottgetreu spoke regarding the Silverton Comprehensive Plan. He described the individual elements of the Plan, and the last dates the plan elements were reviewed. He stated that since 2002, the updates have been done through the Post Acknowledgement Plan Amendment process (PAPA), rather than periodic review process.

\*Discussion included:

-PAPA Updates since 2002

-Department of Land Conservation & Development's overseeing of long-range planning of the state and the cities. They require a periodic review of the Comprehensive Plan, but haven't been requiring those updates due to lack of funding. If the State tells a city they have to update their Comprehensive Plan, they would typically have to assist with the funding to do so. Because DLCD hasn't had funding, they haven't been asking cities to go through periodic review process. The PAPA process is similar to DLCD periodic review, but it's more flexible and has same elements.

The State has a hierarchy of which elements in the process need to be reviewed more often: Housing, urbanization, public facilities and economy are at the top of the list. Agricultural elements and others are further down on [the State's] list.

-Items the City hasn't looked at in a while are: Urbanization (last update in 2002), Economic Opportunity (last update in 2011).

-Cost of the Housing Needs Analysis is \$35,000

-Development Code updates that were recently done for HB2011, which was done with a grant from the State, were about \$70,000. Something like [Comprehensive Plan updates] will likely be between \$60,000-90,000 range per element, though the Economic Opportunity Analysis may be \$30,000-\$40,000.

## **2.2 – Development Code Review**

Community Development Director Jason Gottgetreu spoke on this topic. He indicated that the Planning Commission had a running list on needed Development Code Amendments. He provided an explanation on each item:

- Clear and Objective explanation. Councilor Smith said : "While I understand the desire for clear and objective language, our world is full of grey areas where judgment is necessary, and trying to define every possibility for the Development Code is unrealistic."

- Tree Conservation

\*Clear and objective conservation standards

\*On-site tree mitigation standards

\*Code deviations to preserve trees, reduce setbacks, reduce parking, etc.

\*Performance bond to protect trees

\*Tree fund

-Sidewalk connectivity

-Irrigation/Landscaping/Water conservation

-Park land dedication/Pocket parks

-Environmental impacts

-Fill dirt/Grading

-Storm water detention

-Annexation review criteria

-Fencing Standards on Reverse Frontage Lots

-Container Homes

-Accessory Structure-size, material, exemptions

-Bee Keeping Standards

- HVAC/Utility Screening Standards
- Community Dumpster Location

### **2.3 – Park Development**

Community Development Director Jason Gottgetreu began the discussion by stating City Council Goal #9: Decide the Future of Silverton Parks and Recreation. He explained the 3 objectives associated with this goal:

-Objective 1: Establish a deadline, and follow through, for putting a Parks and Recreation Special District on the ballot.

\*The action plan for this objective includes incorporating Objective 3 into the 2023-2024 fiscal year budget if deadline for creating a District has not been met.

-Objective 2: If a Parks and Recreation District is created, develop an appropriate transition plan in a timely fashion. The action plan for this Objective is to be determined.

-Objective 3: If a Parks and Recreation District is not created, update the City's Parks Master Plan. The action plan for this Objective is to be determined.

Planning Commission Chair Clayton Flowers asked if putting [Parks and Recreation District] on the ballot will coincide with not having to have a double majority-just a single majority. He clarified staying away from the odd elections where it's required to have to have twice as many people approve it. Mayor Palmer expressed that he was unsure as to the answer of that question. Chair Flowers said that in the General Election, it's a simple majority-but in any of the others you run into the double majority requirement. Mayor Palmer said he didn't think that was the case in the May elections [further dialogue from Mayor Palmer was inaudible]. Chair Flowers said the City would have to go to the voters for a District, because that's another taxing district. He said that at the election it should be as simplified as possible. Mayor Palmer said it wasn't too late to put the District on the fall ballot, but the other date had been decided upon.

Robust discussion continued between Planning Commission members, on which election would be best to have Parks District on the ballot.

Mayor Palmer said that, in his opinion, this fall election would be divisive, even in our community, where it shouldn't be. Mayor Palmer said we'd be better off explaining this to the community in a distraction-free environment. He wants to steer clear of the fall election, so that the City doesn't run the risk of the item not being adequately heard, as it's clouded by everything else going on in the fall election. Councilor Freilinger brought up the fact that the City has been delaying doing anything with the parks, as we're waiting to do the Parks District. He said we keep delaying doing anything. He doesn't want us to continue putting the District off to find the right election to put this on the ballot. He wants a Parks and Recreation Plan. He thinks we need to either vote on it, or use the Parks SDCs to start building parks. Member Castle asked if it's possible to take action on developing parks before the ballot measure, or if we had to wait until 2023. Councilor Freilinger said he thought there would be folks who wanted to see things happen before we got to the ballot. He said things would come up that people would want to see done, and it would be argued that it wasn't in the Parks Master Plan. That is the result of the fact that the Parks Master Plan hasn't been redone in a long time.

**\*\* Council and the Planning Commission took a break from 7:50-7:59 \*\***

### **2.4 – Water Conservation**

City Manager Ron Chandler began the discussion by explaining Silverton's water delivery system. He shared his screen, and began a slide presentation. CM Chandler said that he had 3 things to discuss: Water source, water availability, and water delivery. All water is owned by the State. Nobody owns water-you own the right to use it. It's called prior appropriation. The City has the right to use 10 cubic feet per second, or 4,488 gallons per minute, or 6.5 million gallons per day of water from the Abiqua Creek. It doesn't mean it's that much-that's what we have the right to use. The City has the right to use 5

cubic feet per second, or 2,244 gallons per minute, or 3.2 million gallons per day of water from the Silver Creek. CM Chandler refers to this as prior appropriation is because the major water rights were granted to the City water in 1911 and 1916. Anyone who received water rights after this point falls after the City. CM Chandler said that along Abiqua Creek, USGS has is one gauge that is on Hwy 214 between downtown and Mt. Angel. The City's water source, where water is diverted, is 8 miles away from the gauge. During the summer, the gauge will run at 1 cubic foot per second. The gauge at the water source will be running much higher. This is because near the USGS gauge, there are several water users impacting that area. Mayor Palmer and CM Chandler discussed the public perception on water availability. Mayor Palmer inquired as to whether or not the City staff had conversation this year with the water master; City Manager Chandler indicated staff had. CM Chandler brought up Silverton's ability to divert, treat and deliver water, and the various sources and paths to those ends.

CM Chandler discussed the City's water curtailment plan. He indicated there were 5 trigger levels, and each of those levels prompts action by the City. Mayor Palmer said that in his entire time on the Council, he doesn't remember a time when the trigger levels were brought up to Council. Councilor Freilinger thought that the City had always been ahead of the trigger levels.

Council members, Planning Commission members and the City Manager had a discussion on the health and management of the Watershed.

City Manager Chandler readdressed the trigger levels in the water curtailment plan. He proposed using specific dates, instead of triggers, to 'trigger' level 1 water curtailment in the City. [Muffled transmissions from the City Manager]. He suggested that from Memorial Day to end of September, citizens are encouraged to voluntarily curtail water usage. There would also be a public education/outreach component. He would like to use 80% capacity as the mid-level. Members of the Planning Commission agreed with CM Chandler's suggestions, and expressed concerns. Mayor Palmer stated that Memorial Day through September may not be enough time, and that the 80% may need to be changed.

Community Development Director Gottgetreu screen shared a graph, displaying Silverton's monthly water consumption peaks in 2006, 2007, then in 2017, 2018 and 2019. Late August 2006 had been the highest consumption point, with just shy of 80 million gallons. In 2018, during the same month, the number was just below 70 million gallons. 2019 (when population was over 10,000) was significantly less at 60 million gallons. The graph also showed the Silverton Reservoir storage capacity was 254 million gallons. He discussed factors and areas where there was increased water usage, and creative solutions for curtailment.

Councilors Smith and Freilinger brought up storm water issues, and what happens when the systems are overwhelmed. Member Matzka addressed whether or not there are areas with dual meters, and the potential benefit of such.

Planning Commission members discussed finite water supply, and the numerous determinates that can deplete it. Mayor Palmer readdressed the health of the Watershed. Councilor Freilinger said he would like to see research in the legality of increasing water demand and decreasing supply. What is the threshold where we can't grow any longer because we don't have the water supply to sustain? Member Jones stated the projected growth for Silverton over the next 20-30 years was 3,000. He said that this is an issue that has to be solved, and we have to figure out how to use less water. If we keep allowing housing developments, that's going to push us close to the edge [of our water supply]. Planning Commission members discussed new development, high-efficiency fixtures used by builders, grey water systems, changing of the [Silverton building] Code, water usage from [former] Bruce-Pac facility and potential for the next occupant of the property.

Councilor Freilinger stated that he wondered how much the Watershed would hold in the future. We haven't talked about the ecology of the Abiqua and the Creek, and how much it is going to be able to handle years from now.

CDD Gottgetreu discussed rate structure, and showed a slide with structuring options and definitions. Member Huebner brought up that Silverton has the highest, or one of the highest – top 3, water/sewer-combined – rates in the state. Water is already expensive. If we make the water more expensive in the summer, it may bring unintended consequences. CDD Gottgetreu discussed potential for landscape design requirements allowing for water-wise hydrozones (where you would irrigate the plants that needed the most water in the center, which would seep to the perimeter areas where plants were that needed less watering). Member Piaskowski brought up that he'd like to see a clear and objective definition for 'supply and demand'. He said that if we had a clear definition, it would be easier to talk about a plan.

### III. OTHER ITEMS – City Council and Planning Commission

Member Matzka addressed the speed in the City. He appreciates the speed trailer on his street, but doesn't believe it works longer than for a day. He thinks that speed abatement on some of the side streets may be a solution. Councilor Sutton had nothing to communicate. Councilor Freilinger said it was great being able to talk to everybody, and knew they were going to try and do it more often. Member Piaskowski mirrored Councilor Freilinger's sentiment. Member Saboe also mirrored Freilinger's statement, and added that maybe we could get the School Board [to join a meeting]. Member Jones echoed that they should do this more often, and thanked City Manager Chandler for joining the Planning Commission meetings. Chair Flowers said that he appreciated meeting with Council. He said they couldn't read [Council's] minds, and were there to support the Council in helping to run the City the right way. He also expressed his appreciation for City Manager Chandler as a valuable asset at their meetings. He said that CM Chandler gave them a better breadth of wisdom, when compared to interaction with the past City Manager. Member Castle stated that he felt the meeting helpful, and agreed with the speeding issue in town. Councilor Smith said the meeting was enlightening, she missed getting together, and felt it was very productive. She was contacted by a member of the public who was concerned about Covid in town. Though Omicron has taken a major drop, she doesn't think we are done with Covid. She would still like to see the data/graph with the measurements taken at the Wastewater Treatment Plant put in an easily-digestible format, and displayed on the City's website. Member Huebner echoed Member Matzka's concerns regarding the speed. She said it was insanely dangerous. She extended an invitation to Chief Anglemier to use her/her neighbors' shared driveway to monitor. Councilor Neideigh had nothing to add, but appreciated the group meeting. Councilor Miller also appreciated the combined meeting. He has been approached regarding a permanent amphitheater in Coolidge McClaine park. Jim DeSantis would like to make a presentation at an upcoming meeting, if there was enough interest among Council members. Mayor Palmer thought he was already scheduled in the April meeting. He was also approached by the board president of Cherriots (Salem-area Transit), who is interested in presenting an idea of including Silverton in their transportation district. Councilor Miller would like for that presentation to be added to an upcoming meeting, or to be delegated to the Environmental Management Committee. Mayor Palmer thought Cherriots already had a stop in Silverton, and wondered if they were interested in increased connectivity. Councilor Miller said they were interested in increasing frequency and availability of the Cherriots service. Mayor Palmer said he thought the EMC would be a great place for the first presentation from Cherriots. Councilor Miller will have it added to the EMC agenda. Councilor Sears said he appreciated all the great information that was shared, and getting together with the Planning Commission. He thought it had been an educational process. Mayor Palmer expressed it was wonderful to be in the room, and wonderful to be with [Planning Commission].

### IV. ADJOURNMENT

Councilor Freilinger made a motion to adjourn, and Mayor Palmer adjourned the meeting at 9:55p.m.

Respectfully submitted by:

  
Traci Nichols, Assistant to the City Manager/City Clerk