

CITY OF SILVERTON
CITY COUNCIL SPECIAL MEETING MINUTES

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

July 15, 2019, 6:00 p.m.

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

Mayor Kyle Palmer called the Special Meeting to order at 6:00 p.m.

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

Staff Present: City Manager, Christy Wurster; Finance Director, Kathleen Zaragoza; Community Development Director, Jason Gottgetreu; Public Works Director, Petra Schuetz; and Assistant to the City Manager/City Clerk, Angela Speier

- II. APPROVAL OF MINUTES** – None submitted
- III. OATHS OF OFFICE/PUBLIC RECOGNITION** – None submitted
- IV. PUBLIC COMMENTS** - None
- V. SCHEDULED PRESENTATIONS**

5.1 Presentation on Sustainable Silverton Energy Plan – Charles Baldwin and Dani Keating

Charles Baldwin, Dani Keating, and Karen Garst members of Sustainable Silverton presented the Silverton Energy Plan (see attached script). Sustainable Silverton is recommending the City of Silverton embrace the energy study and actively participate in its implementation. They recommend the City update its Comprehensive Plan to include the recommendation, and assign a City of Silverton staff person to participate in Sustainable Silverton’s ongoing efforts to educate the community on sustainability and resiliency.

City Council thanked the members for their hard work on the Energy Plan. Mayor Palmer asked to make a small clarification regarding the water released from the Oregon Garden to reflect that most of the water is used to irrigate the garden and some is released into Brush Creek after it is cooled. Discussion ensued on the importance of making changes at the local level and Sustainable Silverton’s next steps regarding educating businesses in the community about what they can do to make a difference. Councilor Carter asked about geothermal possibilities in Silverton. Mr. Baldwin indicated they did explore that option, but there isn’t a magma source below Silverton. He explained other technologies that could be used and encouraged the City to look into it for the new Civic Center.

Councilor Plummer stated this is information that you can't say no to. The report shows the money that could be saved through the implementation of this plan and is excited to move forward with the next steps. Councilor Freilinger said he likes the degree of detail in the report and would like to create actionable pieces that Council can take in order to move forward with the recommendation in the plan.

Mr. Baldwin highlighted some of the ways City staff is already implementing a number of recommendations in the report. The City has started a Green Team and is working with the County EarthWISE Program. He said more work needs to be done on educating homeowners and business owners in the City. He said Sustainable Silverton is working with the Planning Commission and would like to see the formation of a neighborhood association program in some form, because that would be a great way to help with public education. Ms. Garst said Council has an amazing opportunity with Eugene Field Commons to construct the site and the building using environmentally friendly building and landscaping materials. Discussion ensued about the recommended policies in the plan and how important it is to focus on conservation in person's day-to-day life. Councilor Carter encouraged Sustainable Silverton to reach out to Silver Falls School District to start educating students about climate change.

Ms. Garst thanked Gus Frederick who provided the pictures in the plan. Mr. Baldwin thanked everyone who worked on the Energy Plan and the cities of Hood River and Corvallis who provided valuable information from their own process.

Wendy Veliz, 4245 Kale Street NE, Salem. Ms. Veliz is the Local Government Affairs Manager at Portland General Electric (PGE). She stated PGE's support for the Silverton Energy Plan. She had the opportunity to work on the plan and applauded the hard work that was put into it. She explained that PGE is an Oregon headquartered company that serves 50 percent of the population and 75 percent of Oregon's commercial/economic activity. PGE is Oregon's largest electric utility, largest green energy employer and the largest local investor in renewable energy. She listed the ways PGE is supporting the climate action goals in the communities they serve and are committed to working with the City to reach Silverton's energy goals. City Council thanked Ms. Veliz for her support and PGE for the efforts they are making to help the environment.

VI. PUBLIC HEARINGS – None scheduled

VII. CONSENT AGENDA

Councilor Sears made a motion to approve the Consent Agenda consisting of agenda items 7.1, 7.2, and 7.3. Councilor Neideigh seconded the motion. There was no discussion and the motion passed unanimously (7-0).

7.1 Resolution No. 19-31 – A transfer resolution for sidewalk infill

7.2 Authorize an unbudgeted FY2020 purchase of UV Wastewater Treatment Plant influent and effluent flow meters

7.3 Authorize an unbudgeted FY2020 purchase of two high level pump 12-inch gate valves at the Water Treatment Plant

VIII. DISCUSSION/ACTION

8.1 Eugene Field Commons draft concepts and next steps

Community Development Director Jason Gottgetreu provided an overview of the Eugene Field Commons process to date. He explained at the last meeting Council discussed whether they have enough information to choose a preferred concept. Some of the information City Council is lacking includes a space needs analysis for City Hall, cost estimates for a single building verses two buildings, what the best location is on the site, and the level of design of the building. The consultant and staff are recommending for Council to not choose one preferred concept, but to keep both concepts in play.

Director Gottgetreu reviewed the public input the City received regarding the site amenities, which have largely stayed the same throughout the process. Residents would like to see a splash pad and outdoor

gathering places. The outdoor amenities can be placed on the site regardless of the location of the building. Another issue that has come up is the powerlines through the trees on the site. PGE has indicated the lines are TELCO lines or possibly cable lines, so they are not PGE facilities and they will not prune the trees around them. The consultants have recommended the next step for the City Council is to select an architectural team for the project through a Request for Qualifications (RFQ). The architectural team will be able to perform a space needs analysis for City Hall, complete a land survey and geotechnical study, create and refine site and building options, establish a budget for the project, and develop a preferred concept.

Director Gottgetreu is seeking Council input tonight regarding the level of design and what they would want the building to look like. This will help to inform the selected architectural team on the City Council's design preferences. Council reviewed a number of Civic Center buildings located in the surrounding areas and offered their feedback on each design.

Independence Civic Center

Councilor Smith liked how the brick wraps the sides of the building and the side view, but didn't really like the entrance of the building.

Mayor Palmer thinks this type of building would blend nicely into the historic downtown.

Councilor Carter said she doesn't like the boxy look and feels it has a prison-like exterior that comes off as intimidating and not friendly. She also noted the building is very close to the sidewalk.

Councilor Freilinger said he would not be disappointed with the building, but he isn't blown away by it either. He feels it is too close to the sidewalk and street for his preference. Mayor Palmer noted having buildings close to the sidewalk is common in the downtown. Councilor Smith said the zoning is Downtown Commercial Fringe, but she would like to see it be rezoned to Downtown Commercial, because it seems like a natural extension of the downtown. This would allow it to maintain the street frontage in close proximity to the sidewalk, which would pull the building to the sidewalk and allow for more usable space behind it.

Councilor Plummer said he is not opposed to the building and is fine with the sidewalk space, because it emphasizes pedestrian friendliness and allows for more space elsewhere on the site. He would like to see something a little lighter.

Councilor Sears said he is struggling with the process and thinks evaluating different design concepts needs to wait. He proposed the next step should be to go out for a RFP/RFQ to hire an architecture firm and ask those individuals when they submit to give the City a rough concept of their design given the information put together so far. He has decided not to pursue the idea of an architecture competition any further. Director Gottgetreu explained the exercise tonight is to gather information from City Council on what they would like to see the exterior of the building look like. The feedback tonight will be included in the final report that the selected architect firm can reference. Discussion ensued regarding what to provide the architectural firm that is ultimately chosen and Council decided to continue with the exercise.

Councilor Smith explained the typical process once an architectural firm is hired. The firm will do the space planning and interview City staff about their programming space needs. The architect needs to have experience with designing this type of facility and they can create a design charrette. Then after that process they will design a couple different options within the parameters of the space needs that Council will choose from. The first step will be to interview architects and look at their body of work. From there a committee will narrow it down to approximately three architects who could present to City Council their qualifications and a potential design for the Silverton Civic Center.

Fairview City Hall

Director Gottgetreu explained Fairview has a brick front then to save money they used HardiePlank siding on the side of the building. Councilor Neideigh said for the Eugene Field site the side and back of the building needs to look as nice as the front, because the building will be seen from all angles.

Wilsonville City Hall

This building has a little less brick and more glass. Councilor Freilinger said he preferred Independence's design over this one. Council felt like there was a lot of wasted space around the building. They want green space, but would like it to be useful and utilized by the public.

Councilor Sears commented that there needs to be more protection due to being in the inundation zone. He explained there are a variety of concepts that could be utilized to protect the building from flooding, but it could change the look and the feel of the building.

Councilor Neideigh said she liked the arched windows in the Independence City Hall better than the box shape of these windows. She said the entrance of the building seems sunken and hidden and would like to see something a little more noticeable.

Councilor Smith responded to the comment regarding the inundation zone and said the inundation height is 7.5 feet and is not sure that berms and walls would be the most effective solution. She would like to see depressed parking so the first floor is raised up a little. She explained where she used to work in Florida they require new buildings to have a hurricane design that include frangible walls that break out leaving the structure unharmed. Non-essential functions would have to be located on the first floor and the emergency spaces would be on the second floor.

Councilor Carter said she is not committed to an all brick building.

Canby City Civic Center

The Canby Civic Center provides for a plaza area between buildings. Mayor Palmer said he likes this one, but not as much as the Independence Civic Center. Councilor Plummer said this design is the most appealing for his taste. Councilor Carter said she likes the mixture of building materials, but there is too much concrete and she cannot see the public utilizing the plaza area between the buildings. Councilor Smith said she does not like the concrete or the amount of glass used in the building on the left.

City Hall in Oregon City

Director Gottgetreu said this is a brick building with a timber frame at the front access and a gabled roof with dormers. Councilor Freilinger said he liked some of the elements of the building, but there isn't enough green space and it needs to be two stories. Councilor Carter agreed with Councilor Freilinger and stated she liked the northwest design of the building. Mayor Palmer did not care for the mixture of the two designs and felt like it should be located in Central Oregon. Councilor Neideigh liked the variation of the roof line and that the entrance provides protection from the rain.

Sherwood Civic Center

Councilor Carter stated she liked the connecting bridge from the City Hall to the Library.

Creswell City Hall

This is a corner building with brick along the first floor and insulation panel on the second floor. Councilor Carter said the only thing she liked is the mix of materials. Mayor Palmer said it would fit in the community better than some of the other designs, but doesn't like the second floor material.

La Pine City Hall

This design includes a timber gabled front entrance. Councilor Carter indicated that a metal roof might be a good idea.

Director Gottgetreu said he will take the design items he heard tonight and put them in the draft concept report and have the consultants finish up the remaining items in their contract. Once their work is complete and the report is finalized then he will focus on the RFP process. City Manager Wurster said she would like to include the space needs analysis for City Hall with the RFP for architectural services. Going out for two separate RFPs could increase the time and cost of the project. Council was agreeable to that process. Council discussed the RFP process moving forward and decided to ask the top three

architects selected from the bids received to present to City Council their portfolios and a draft rendering of their design for the Silverton Civic Center based on the Eugene Field Commons Concept Report. In the initial bid the architects will provide their qualifications and designs they have done. The financial picture moving forward is also an important piece in the process; this will help determine how much the City can afford. Staff will discuss funding options with City Council at the August Work Session. Lastly, Public Works Director Petra Schuetz provided the arborist's recommendation for the two primary large trees located on the northwest corner. Both the trees are in excellent condition and the only recommendation at this time is to trim the lower dead branches. The arborist indicated the douglas fir has a higher root system than the sequoia, but due to their age it is likely they are intertwined. They are recommending cordoning off a substantial area during the construction so they will not be harmed.

Council took a break at 8:07 p.m. and returned to regular session at 8:15 p.m.

8.2 2nd and Jefferson Streets Street Urban Standards

Director Schuetz explained staff would like City Council feedback on a street project listed under City Council Goal 3.10. The Council requested staff to improve the pavement condition of 2nd Street from the railroad tracks [Whittier St.] to Jefferson Street. City Engineer Mike White has assessed the section of road and provided a cost estimate. She explained Public Works' operating policy is to bring streets to Urban Standards, the section of poor pavement is above an inadequate water line and staff would like to upgrade that to a 10-inch line at the same time the road improvement is done. She further explained the cost estimate includes the addition of low impact stormwater features and sidewalk connections. Currently there is \$250,000 budgeted for a street overlay project for FY 2020, in order to bring this section of street to urban standards the cost will be over \$2 million. Staff would like Council direction on if they would like to see this section of road improved to Urban Standards or simply fix the asphalt. Mayor Palmer asked if a sidewalk could be added on one side of the street only. Councilor Carter said 2nd Street is heavily used by pedestrian and a sidewalk should be added.

City Engineer White said he could put together a couple different design options that illustrate a sidewalk on one side versus two sides and the costs for each. He said he can estimate the water line upgrade and show the various pavement costs depending on the section of roadway. This will give City Council a better idea of the cost and what their priorities are. The sidewalk would connect to the existing sidewalks. Councilor Sears said a different standard could be applied for this project, because it is an existing street and the same standard the City would want for new development is not needed here. He also feels the project should be extended further south to where the old railroad tracks used to be and be tied into an existing sidewalk. The water line should be upgraded with this project, because it does not make sense to upgrade the street and have substandard utilities underneath. The storm drain also needs to be extended. Councilor Sears would like to see the breakdown of the cost estimates and also for staff to look at funding options and how much could be used from various City funds. He inquired about using urban renewal funds since the boundary was expanded to include this area. He said there is a lot of traffic on this road and it is one of the poorer shaped collectors.

Council would like to see the Mr. White prepare the different options, the cost for doing different components of the project, but ultimately the upgrades should be done together, because it is more cost effective. Staff should also look into the formation of a Local Improvement District for the project. Director Gottgetreu said 2/3 of the property owners could prevent the LID from forming if they are against the assessment.

8.3 Water and Sewer Rate Progress Report

Mayor Palmer took this item before agenda item 8.2. Director Schuetz said a formal presentation will be provided by the consultant in August, but staff wanted City Council to begin thinking about the rate structure. City Council approved this RFP process in December 2018. The consultant is looking at the existing sewer rate structure for different classifications and at sample customer billings. There have been a number of policy questions that have come out of the analysis of the sewer rate structure for commercial and industrial classes that City Council should think about. These questions are unique to Silverton's rate structure.

Policy Question 1: The sewer monthly base charge for larger commercial and industrial customers is the same as that for single family residential customers. The residential user is paying about one third more on the base rate versus the commercial customer. Councilor Freilinger said he would like the consultant to provide an overview of what comparable cities are doing. Director Schuetz said they will have a comparison of 10-12 communities which were the same cities used in the System Development Charge (SDC) Methodology Update. Councilor Sears said when this was discussed previously there was an agreement with the industrial and commercial sewer users on how the rates would be phased and asked when staff would be engaging that sector into this conversation so they can give feedback. Director Schuetz said staff will be reaching out to those users after the preliminary feedback from City Council and prior to the consultant's presentation in August.

Policy Question 2: One of the City's two (2) industrial customers is currently paying a substantially lower cost per CCF than the residential classes despite stronger waste. The strength of this customer's waste is lower than the standard for industrial customers. Should they be paying for the stronger waste, because it requires more to treat? Both industrial customers are operating pretreatment facilities which help to lessen the strength of the waste, but there have been a number of power surges at the Wastewater Treatment Plant due to waste. Staff has had to do a lot to balance that system and as the 2020 Census approaches the City will need to comply with MS4 requirements. The City needs to start thinking about what the more permanent permitting structures will look like, what DEQ will require for pretreatment, and how that will impact rates moving forward.

Policy Question 3: The City staff currently calculates industrial customer bills separately each month using complicated formulas and there have been billing disputes. The consultant will likely present a simpler way for staff to calculate industrial sewer bills. Another item to think about is to create a gradient approach to the change in water and sewer rates to avoid rate shock.

Councilor Freilinger asked if somewhere in the process City Council will be talking about if these industries were not here how much of the future capital improvement plan the City would not have funding for.

Don Kelley, 110 N. 2nd Street. Mr. Kelly is representing Bruce Pac and explained the things they are doing to help with their environmental impact. Bruce Pac has never objected to paying their fair share, but most consultants look at industry as a sitting duck to be picked on because they are only one or two people. Bruce Pac appreciates the discussion they have had with staff and look forward to continuing those in the future. In 2018, Bruce Pac used 7.2 million gallons less water than in 2016, but paid 35 percent more between sewer and water. Mr. Kelley said the report by GovRates Inc. is slanted, anti-industry, and takes a very short-term view and he was glad to hear Councilor Freilinger talk about some of the long range implications to this. He directed City Council to page five of the report that recommends formalizing a policy under which zero (0) mg/l measurements for samples due to a plant's not operating are not counted toward the monthly average TSS and BOD for bill purposes. He said this could have the effect of skewing the monthly numbers to be higher. He said the consultant's report always goes back to fairness, but in fairness to the residential rate payers if the industry wasn't here would their rates go up or down. He said it would be interesting to see that number. Industry does subsidize a dramatic share of the sewer costs for the residential rate payers. The report includes a sample sewer bill for Bruce Pac which was over \$24,000 for the month, that bill would increase by \$9,000 under the recommendations in this report. That doesn't include the restroom waste and the water rate which are billed separately. Bruce Pac spends a substantial amount of money for utilities and Council needs to think about the fairness not only to Bruce Pac, but also to the residential customers. To summarize, the recommendation from GovRates is unfriendly to business and it will not be good for the City.

Councilor Carter asked how Bruce Pac deals with Woodburn's base rate which are higher than Silverton's. Mr. Kelley said their facility is located outside Woodburn city limits and has its own treatment plant and wells, so they do not pay Woodburn utility rates.

IX. CITY MANAGER UPDATE

City Manager Wurster said Public Works continue to evaluate the water system and the events that may trigger water curtailment measures. At this point there are no concerns from the City's Water Superintendent, but staff will provide another update at the August meeting. She provided an update on Senate Bill 90 which prohibits the City from adopting an ordinance related to plastic straws due to the emergency clause in the bill.

X. COUNCIL COMMUNICATIONS

Councilor Carter reported that people are still riding their bikes on the sidewalk in downtown. She would like Council to put some thought into removing the parking spaces from Park to Main Street on the west side of Water Street in order to create a bike lane and place metered parking by Eugene Field Commons. Director Gottgetreu said ODOT would need to be involved with adding a bike lane on a state highway. She inquired about the plans for the Eugene Field Commons surface, since it will be awhile before the start of construction. Director Schuetz said there is nothing additionally budgeted for the site, but the crew will continue to mow it. Council discussed continuing to mow the site and requested staff to try to remove the weeds. Councilor Smith commented on the bike lane idea and said she would not support anything that is outside of the overall Master Plan.

Mayor Palmer received an email from Jan Calvin and former County Commissioner Janet Carlson regarding Silverton representation on the Development Council that will ultimately make recommendations on the Continuum of Care structure. He said he has asked about the frequency and potential dates for those meetings, but wanted to gauge Council's interest on serving. There was no opposition to having a City Councilor serve as long as it would fit with other personal commitments.

XI. ADJOURNMENT

Councilor Freilinger made a motion to adjourn and Mayor Palmer adjourned the meeting at 9:22 p.m.

Respectfully submitted by:

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